

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14965-2021

Date of Decision: 06.04.2021

Sukhbir Khan and another.....Petitioners

Versus

State of Punjab and others..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. Manoj Kumar, Advocate
for the petitioners.

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MANJARI NEHRU KAUL, J. (Oral)

The petitioners are seeking issuance of a direction to respondents No.1 to 4 for looking into their representations (Annexures P-11 to P16) and thereafter proceed in accordance with the provisions of law.

Learned counsel has invited the attention of this Court to the MLR dated 03.11.2020 (Annexure P4) which clearly reflects that petitioner No.1 had received a lacerated wound on his left parietal region of scalp. He submits that the MLR also reflects that it was noted by the doctor that it was a case of alleged assault. It is submitted that even though a Ruqa was sent by the Doctor concerned to the Police Station Bassi Pathana and respondent No.5-ASI Gurcharan Singh reached the hospital in pursuance to the same, however, he did not take any action on his statement. Rather a false FIR No.164 dated 07.11.2020 under Sections 452, 323, 506, 427, 34 IPC was

registered at Police Station Bassi Pathana against the petitioner after four days of the alleged occurrence. Learned counsel, therefore, contends that despite a cognizable offence having been committed by the private respondents, the official respondents have failed to proceed against them under the provisions of law.

Notice of motion.

On the asking of the Court, Mr. H.S.Sullar, DAG, Punjab, accepts notice on behalf of the respondent-State.

In the wake of the limited prayer of the petitioner, respondent No.2 i.e. Senior Superintendent of Police, Fatehgarh Sahib, is directed to look into the grievance of the petitioners and, if required, take appropriate action under the provisions of law. However, if the respondent does not find any substance in the allegations levelled in the representations (Annexures P11 to P16) qua the commission of any cognizable offence as alleged, then the petitioner would be duly informed as per the parameters laid down by the Supreme Court in *Lalita Kumari v. Government of Uttar Pradesh & Ors.* 2013 (4) RCR (Criminal) 979.

Petition is disposed of.

06.04.2021
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No