

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-25373-2021

Date of Decision : July 07, 2021

GURWINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Ravi Malhotra, Advocate
for the petitioner.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 482 of the Code of Criminal Procedure for issuance of a direction to respondent No.1 to take action on the complaint of the petitioner and to hand over the investigation of the case to any other investigation agency like crime branch or to senior police officer.

The learned counsel for the petitioner at the outset has submitted that he does not wish to press the second prayer with regard to seeking the handing over the investigation to any other investigating agency. He has confined his prayer only seeking a direction to respondent No.1 to take action on the complaint of the petitioner.

It has been submitted by the learned counsel for the petitioner that the petitioner is an agriculturist and is having agriculture land in District Amritsar and also in District Jalandhar. He had leased out his land situated at District Amritsar for one year to Balkar Singh @

Billa, Gulzar Singh @ Garo and Sukhdev Singh @ Sukha and after sometime of leasing of the land, the petitioner came to know about the antecedents of the above persons and on dated 13.3.2021, the petitioner alongwith his family members came to Jalandhar from Amritsar and resided at Jalandhar till 17.3.2021 and some persons from locality informed him that the lock of his house has been broken and the petitioner immediately went to his house at village Kohala and found that lock of his house was broken and Rs.1 lacs was missing from the box of the bed. Even Tractor (Swaraj) and a motor cycle model 2016, CCTV cameras and even the DVR was also missing and on the same day he approached the local SHO and he submitted his complaint but the SHO did not take any action on the same, rather he refused to take any action. It is submitted that the accused persons are openly roaming around in the village and are also proclaiming that all the articles of the petitioner are in their possession and nobody can cause any harm to them. Thereafter on 11.4.2021, one ASI called the petitioner to police station on the pretext that inquiry is to be conducted in his complaint but he did not allow the petitioner to leave the police station till evening and on the other hand the accused persons, who were armed with weapons came and took away the crop from the field and they also took away one Car alongwith Stepney, Stereo, Tools etc. The said ASI instead of arresting the accused or taking any action for committing theft, rather helped them. Thereafter on 26.4.2021, the accused persons again came to the place of the petitioner alongwith one notorious person, namely, Sukhdev Singh @ Sukha alongwith 20-25 unknown persons and fired shots in the air and

extending threat that the petitioner may do whatever he wants to do and the police is in their pocket.

The learned counsel for the petitioner has submitted that there had been total lawlessness so far as the present petitioner is concerned and he had informed the police with regard to the commission of cognizable offence but no action has been taken in violation of the law laid down by the Hon'ble Supreme Court. He submitted that he has given a detailed representation to the SSP (Rural), District Amritsar vide Annexure P-1 dated 27.4.2021 and also to the DGP vide Annexure P-2 dated 17.5.2021. However, no action has been taken till date either by the local police or by the senior officers.

Notice of motion to respondents No. 1, 2, 3 and 4 only.

Mr. Randhir Singh Thind, DAG, Punjab accepts notice on the aforesaid respondents and states that in case a direction is issued at this stage to the SSP (Rural) Amritsar for considering the representation of the petitioner in accordance with law then he has no objection for the same.

I have heard the learned counsels for the parties.

The petitioner has confined the scope of the petition only to the extent of seeking directions to the concerned police officials for considering the application/representation filed by him vide Annexure P-2. Therefore, this Court is satisfied that the present petition can be disposed of at this stage without even calling for reply from the State.

Consequently, it is directed that the SSP (Rural), Amritsar shall look into the representation filed by the petitioner vide Annexure

P-2 and after considering the same, if so required take appropriate action in accordance with law within a period of three weeks from the date of receipt of certified copy of this order.

Disposed of accordingly.

July 07, 2021
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No