

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-29687-2021

Date of Decision: 30.07.2021

Manmohan Singh Sandhu

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. G.S. Brar, Advocate, for the petitioner..

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**Through Video Conferencing**

**JASGURPREET SINGH PURI, J. (Oral)**

The present petition has been filed under Section 482 of the Code of Criminal Procedure directing the official respondents to conduct departmental inquiry against respondent No.4 for registration of false and frivolous FIR bearing No. 136 dated 15.07.2011, under Sections 379/435/411 IPC, registered at Police Station Samrala, District Ludhiana and to conduct inquiry against respondent Nos.4 and 5 who gave criminal colour to a civil dispute between respondent No.5 and the petitioner.

Learned counsel for the petitioner has submitted that respondent No.4 was the Investigating Officer of the aforesaid FIR and the FIR was lodged at the instance of the complainant who has been impleaded as respondent No.5 in the present petition. He has submitted that in the

aforesaid FIR, the petitioner has since been acquitted by the learned trial Court and even the order has attained finality in Appellate Court. He is seeking a departmental inquiry against respondent No.4 for registration of a false FIR.

I have heard the learned counsel for the petitioner.

The petitioner has not attached the order of acquittal. Even if the petitioner has been acquitted, the present petition has been filed under Section 482 of the Code of Criminal Procedure for seeking direction to the official respondents to conduct departmental inquiry. The inherent powers of the High Court under Section 482 of the Code of Criminal Procedure are not meant for directing the Administrative Head of the police department to conduct departmental inquiry because the petitioner has been acquitted. There is nothing on the record to show that any observation has been made by the learned trial Court against the police officials. Be that as it may, the present petition under Section 482 of the Code of Criminal Procedure would not be maintainable not only against respondent No.4 who was the Investigating Officer but also against the respondent No.5 who was the complainant.

In view of the above, the present petition lacks merit and consequently, the same is dismissed. The petitioner may take recourse to any other remedy which may be available to him in accordance with law.

**30.07.2021**

rakesh

Whether speaking  
Whether reportable

**(JASGURPREET SINGH PURI)**

**JUDGE**

: Yes/No  
: Yes/No