

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

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CRM-M-32944-2021

Date of Decision: 16.08.2021

Mukesh Baghel

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Krishan Singh, Advocate, for the petitioner.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

The petitioner, who is a Press Reporter, has approached this Court seeking appropriate action to be taken against respondents No.5 & 6, as they had allegedly committed offences punishable under Sections 420/467/468/471 IPC.

Respondent No.5 is stated to be the District Information Public Relations Officer, Palwal. Respondent No.6 is also stated to be working in the same Department at Palwal.

The petitioner seeks issuance of directions mainly on the following grounds, as have been stated in the petition:

- (i) that respondent No.5 was charge-sheeted under Rule 7 of the Haryana Civil Services (Punishment & Appeal) Rules, 2016, as he had committed certain acts of omission and commission;

- (ii) “..... the respondent No.5 used to misbehave with all the Press Reporters of District Palwal. The respondent No.5 is residing in the rooms of the office, even then he used to take house rent in fraudulent manner. He also used the government vehicle for his personal use at his own resident at Rohtak. He is not providing proper facilities to the Press Reporters and all the Press Reporters of District Palwal are very upset from the behavior of the respondent No.5.” [extract from para 3 of the petition];
- (iii) that respondents No.5 & 6 had threatened him and on account of which the petitioner moved an application to the DGP, Haryana, for providing protection;
- (iv) that one Hina Virmani wife of Gaurav Virmani, who is also posted as Accountant in District Information and Public Relation Officer, Faridabad had filed a complaint against respondent No.5 that he is harassing her socially and mentally;
- (v) that respondent No.5 has committed fraud and caused financial loss to the Government.

I have heard learned counsel for the petitioner and have also perused the petition.

As far as ground No.(i) is concerned, the said matter pertains to the departmental action, which has already been taken against respondent No.5.

As far as ground No.(ii) is concerned, the same broadly pertains to the allegations that respondent No.5 did not entertain the Press Reporters properly and misbehaved with them and that he used to take house rent in a fraudulent manner and was not providing proper facilities to the Press Reporters. The aforesaid action would, at best, constitute a 'misconduct' in respect of the official functioning and in fact suggests that the grievance of the petitioner is mainly that respondent No.5 was not extending proper facilities to the Press Reporters on account of which the Press Reporters were upset with him.

As far as ground No.(iii) is concerned, it pertains to grant of police protection regarding which the petitioner has already moved an application to the police and which the petitioner would be at liberty to pursue.

Ground No.(iv) pertains to some cause of action, which is stated to have accrued with one Ms.Hina Virmani, who is an official working in the same Department, who has filed a complaint against respondent No.5 regarding her alleged harassment. The petitioner for such harassment would not have any cause of action. Ms. Hina Virmani, in any case, is stated to have filed complaint.

As far as ground No.(v) is concerned, no details of fraud/financial loss are forthcoming. In any case, it is always within the

domain of the superior authorities to analyze, whether respondent No.5 has committed any fraud and/or caused financial loss to the Government.

In view of the aforesaid position, this Court finds that the grievance of the petitioner is mainly that he is not being properly entertained by respondents No.5 & 6 and on account of which he appears to have filed the instant petition. No ground for issuance of any direction as prayed for, is made out. The petition, as such, is dismissed.

However, as far as the apprehension of the petitioner regarding threat to his life and liberty is concerned, it shall be open to the petitioner to move an appropriate application to the Superintendent of Police concerned for providing security. In case, any such application is filed, the Superintendent of Police concerned shall get the alleged threat perception examined and take necessary steps, if any are warranted under the facts and circumstances of the case.

A copy of this order be conveyed to all the respondents. Copy of the order be conveyed to respondents No.5 & 6 through District Information Public Relations Officer, Palwal.

16.08.2021

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(GURVINDER SINGH GILL)**JUDGE**

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No