

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

CRM-M-28498-2020

Date of Decision:04.01.2021

Gagandeep Singh

.....Petitioner

Vs.

State of Punjab and another

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Amit Sharma, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

'Proxy counsel' for Mr. Amar Vivek Aggarwal, Advocate
for respondent no.2.

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks quashing of FIR no.0326, dated 21.08.2020, registered at Police Station Zirakpur, District S.A.S. Nagar, alleging therein the commission of offences punishable under Sections 365, 366, 452, 506, 149 of the IPC.

Pursuant to the order dated 02.11.2020, a reply by way of an affidavit of the SSP, Mohali, dated 27.11.2020, has been filed.

Learned counsel for the petitioner himself draws attention to paragraph 5 thereof, in which it has been stated that upon inquiry from Yamunanagar, it was found that the petitioner was actually present there at the time that the alleged occurrence took place and consequently, the petitioner has been found to be innocent by the police.

Though learned counsel for the complainant, i.e. the mother of the allegedly abducted girl, submits that she has not received a copy of the said reply, I see no purpose in keeping this petition pending, in view of the fact that the petitioner has been declared to be innocent by the police itself.

Obviously, if the complainant is aggrieved in any manner of the investigation conducted/being conducted by the police, she has her own legal remedies for the same.

As regards the issue of an ASI of the police station concerned having (allegedly) refused to go to Yamunanagar to investigate into the matter unless the petitioner provided him with conveyance (as recorded in a previous order), that issue has not even being touched upon by the SSP, which is not appreciated.

However, since counsel for the petitioner submits that the petitioner having been found innocent, he himself is not pressing that issue any longer, nothing further need be said by this court on that, except that the SSP would ensure that police officials working under his jurisdiction behave like public servants and do their duty as is cast upon them, without making extraneous demands as allegedly was done; though of course whether it actually was so or not is not being commented upon by this court, with the aforesaid direction having been given only by way of abundant precaution.

In view of the statement made by learned counsel for the petitioner in terms of the affidavit filed by the SSP, this petition has been rendered infructuous and is disposed of as such.

January 04, 2021
dharamvir/

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO