

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-45708-2021

Date of decision : 09.11.2021

Lakhwinder Singh

... Petitioner

Versus

The State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Vidit Bansal, Advocate
for the petitioner.

Mr.N.K.Banka, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is the petition under Section 482 Cr.P.C. for issuance the appropriate order or direction to respondents no.2 to 4 to take appropriate action against the police officials namely ASI Kashmir Singh and CT Kairan Kumar, deputed in Jandiala Chownki, which falls under Police Station Sadar Jalandhar, Jalandhar.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 08.10.2021 (Annexure P-1) to respondent no.3- Commissioner of Police, Jalandhar, among others, in which it has been stated that on 01.10.2021, the CCTV Camera from the house of the petitioner was removed by the abovesaid police officials after trespassing into the house of the petitioner and on 12.10.2021 another incident took place in which the said officials were stated to have passed

bad comments on the wife and sister of the petitioner and also of having threatened the petitioner to not install the CCTV camera in their house.

On a query put by this Court, learned counsel for the petitioner submitted that the petitioner is involved in one more case in which he has already been granted the concession of anticipatory bail on 26.07.2019. He has also referred to the zimni order dated 01.09.2021 to show that the petitioner has been appearing in the proceedings of the said case and now the said case has been adjourned to 17.11.2021 and except that there is no other case pending against the petitioner. It is submitted that since challan in the said case has already been filed and the petitioner has already appeared on 01.09.2021 and now the case has been listed for 17.11.2021, there was no occasion / reason for the said police officials to go to the house of the petitioner on 01.10.2021 and or on 12.10.2021.

Learned counsel for the petitioner has submitted that he would be satisfied in case representation dated 08.10.2021 (Annexure P-1) is considered by respondent no.3-Commissioner of Police, Jalandhar and after considering the same, would take appropriate action, in accordance with law.

Notice of motion.

On advance notice, Mr.N.K.Banka, DAG, Punjab, appears and accepts notice on behalf of the respondents and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.3-Commissioner of Police, Jalandhar, looks into the representation dated 08.10.2021 (Annexure P-1) and takes appropriate action in accordance with law.

Keeping in view the above said facts and circumstances, the

present petition is disposed of with a direction to respondent no.3- Commissioner of Police, Jalandhar, to look into the representation dated 08.10.2021 (Annexure P-1) and after considering the same, to take appropriate action, in accordance with law.

It is, however, clarified that nothing stated in the present order should be construed as an expression of opinion of this Court on the merits of the alleged action of the said police officials and the present order should also not come in the way of the police officials pursuing the criminal case against the petitioner, in accordance with law.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.

(VIKAS BAHL)
JUDGE

November 09, 2021

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No