

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

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CRWP-10841-2020 (O&M)

Date of decision : 05.01.2021

Gurdeep Singh

.....Petitioner

Vs.

State of Punjab and Others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Ms. Satpreet Grewal Kapila, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present criminal writ petition has been filed under Article 226/227 of the Constitution of India for issuance of directions to respondent Nos.1 to 3 to protect the life and liberty of the petitioner and his family members and protection from false implication in a criminal case at the behest of respondent Nos.4 and 5.

Learned counsel for the petitioner would contend that the petitioner is ETT (Regular Teacher) and is posted at Primary School, Deypur Block Hajipur, District Hoshiarpur. It is further the contention that respondent No.4 is habitual of giving false complaints against all and sundry and the petitioner has also been at the receiving end at the hands of respondent No.4. Learned counsel for the petitioner has also contended that a representation dated 08.12.2020 has been sent by the petitioner to the Senior Superintendent of Police, Hoshiarpur (respondent No.2) and that he would be satisfied, at this stage, if the said representation is decided in accordance with law and in a time bound manner.

Notice of motion.

On the asking of Court, Mr. V.G.Jauhar, Sr. DAG, Punjab has put in appearance on behalf of the respondent-State through video conferencing and accepts notice. On instructions from SHO Lomesh Sharma, he has stated that the police have enquired into the complaint given by respondent No.4 against the petitioner which is found to be false and that the police does not intend to take any further action against the petitioner in the said matter. He further states that he would have no objection if the present petition is disposed off with a direction to respondent No.2 to decide the representation dated 08.12.2020 (Annexure P-3) in accordance with law.

In view of the limited prayer made by the learned counsel for the petitioner and since the petition is not being decided on merits, the service on the remaining respondents is dispensed with.

The present petition is, thus, disposed off with a direction to respondent No.2–Senior Superintendent of Police, Hoshiarpur - to decide the representation dated 08.12.2020 (Annexure P-3) in accordance with law within a period of 15 days from the date of receipt of certified copy of this order.

It is, however, made clear that the present order shall not stand in the way or effect any criminal proceedings pending against the petitioner.

January 05, 2021
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No