

CRWP-11516-2021 (O&M)

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

**CRWP-11516-2021 (O&M).
Decided on: December 7, 2021.**

Kulwinder Singh Gill

.. Petitioner

VERSUS

State of Punjab and others

.. Respondents

*** * ***

CORAM: HON'BLE MR.JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.M.S.Yadav, Advocate, for
 Mr.Sherry K. Singla, Advocate,
 for the petitioners.**

JASGURPREET SINGH PURI, J. (ORAL)

Learned counsel for the petitioner has submitted that in the present case the petitioner had filed a complaint under Section 138 of the Negotiable Instruments Act against respondent No.6 who had made a false complaint before the police which was inquired into by the DSP and nothing was found in that complaint but thereafter, respondent No.5 - an Assistant Sub Inspector posted in the office of DSP (Investigation), Khanna, District Ludhiana, who is very close to respondent No.6, is repeatedly calling the petitioner to the police station/police post and pressurising the petitioner to withdraw the complaint. He submitted that a representation (Annexure P-4) dated 30.11.2021 was sent to the Senior Superintendent of

CRWP-11516-2021 (O&M)

Police, Khanna, but no action has been taken in this regard. He submitted that ASI is not empowered to call the petitioner for the purpose of settling the civil dispute between the parties and he has exceeded his powers and jurisdiction.

Notice of motion to respondent Nos.1 to 4 only.

Mr.Arun Kumar Kaundal, DAG, Punjab, accepts notice on behalf of the aforesaid respondents and states that he has no objection in case representation (Annexure P-4) dated 30.11.2021 sent by the petitioner to the Senior Superintendent of Police, Khanna, is directed to be taken into consideration and decided in accordance with law.

After hearing the learned counsel for the parties, this Court is satisfied that even without calling for the reply from the State at this stage, the present petition can be disposed of with appropriate directions.

Consequently, the present writ petition is disposed of with a direction to the respondent No.2 – the Senior Superintendent of Police, Khanna, to consider and look into the representation Annexure P-4 filed by the petitioner in accordance with law and in case any necessity so arises then to proceed thereafter, in accordance with law.

Let the needful be done within a period of two weeks from the date of receipt of certified copy of the order.

**December 7, 2021,
raj arora**

**(JASGURPREET SINGH PURI)
JUDGE**

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No