

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(135)

CRM-M-5451-2022

Date of Decision: 09.02.2022

Budh Singh & another

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. U.K. Agnihotri, Advocate for the petitioners.

Mr. Rakesh Inder Singh Sidhu, A.A.G., Punjab.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner has approached this Court by way of filing the present petition impugning the notice of enquiry dated 29.1.2022 issued by respondent no.2 i.e. S.P. (Headquarter), Gurdaspur.

Learned counsel for the petitioners submits that petitioners are the complainant of the FIR in question, however, respondent no.4, who is the accused in the FIR approached for grant of anticipatory bail and the same was dismissed up to the Hon'ble Supreme Court and now at his behest fresh inquiry has been initiated by respondent no.2 without adhering to the legal procedure. Counsel submits that petitioner no.2 is the complainant of the FIR, whereas her husband and mother-in-law both are in Canada and the inquiry initiated by respondent no.2 is totally with malafide intention. Counsel submits that the summoning of the petitioners for the same is totally unknown to the law.

Notice of motion.

On the asking of the Court, Mr. Rakesh Inder Singh Sidhu, A.A.G., Punjab accepts notice on behalf of respondents no.1 to 3 and respondent no.5.

Learned State counsel on specific instructions from SHO Sukhbir Singh and SI Sukhjinder Singh submits that the inquiry/investigation of the FIR as contended by learned counsel for the petitioners is already complete and he has further instructions to say that the petitioners are no more required for the inquiry in pursuance to the impugned notice dated 29.1.2022.

In view of the emphatic submissions made by learned State counsel, grievance of the petitioners no more survives and the instant petition is disposed of with liberty to the petitioners to approach this Court by way of filing a fresh petition, in case the situation so arises.

(RAJESH BHARDWAJ)
JUDGE

09.02.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No