

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

CRM-M-6558-2021

Date of Decision: 17th May, 2022

Ashwinder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Ravi Dangi, Advocate for
Mr. Subhash Kumar, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Shiv Kumar, Advocate for the respondent No.5.

AVNEESH JHINGAN , J.(Oral)

1. This petition was filed seeking directions to the official respondents for fair investigation in complaint dated 3rd February, 2021, filed by the petitioner against respondent No.5. Further direction was sought that petitioner should not be harrassed as he is being blackmailed by respondent No.5.

2. From the pleadings of the petition, it is forthcoming that the petitioner was working as a Manager in company in J.K. Tools, at Focal Point, Jalandhar and he left his job on 1st April, 2014. In January, 2021, petitioner was called by Additional Deputy Commissioner of Police (investigation) Jalandhar for conducting an inquiry with regard to complaint filed by Lalit Sethi(respondent No.5).

3. As per the allegations in the complaint of respondent No.5,

there was a deal between the petitioner and respondent No.5 with regard to importing Iron Scrap from outside of India and respondent No.5 had paid Rs.21,50,000/- to the petitioner but no scrap was supplied.

4. Thereafter, petitioner filed a complaint dated 3rd February, 2021, in his complaint petitioner denied that no deal was struck between the him and respondent No.5 and the complaint by respondent No.5 was filed for extorting money from the petitioner.

5. Official respondents had filed reply dated 16th March, 2021, paras 3 and 4 of the reply are quoted below:-

“3. That enquiry into the said application was entrusted to answering respondent and answering respondent has sent various reminders to petitioner and respondent no.5 to record their version vide number 65/R/ADCP/INV dated 16.01.2021, 118/R/ADCP/INV dated 29.01.2021, 306-Reader/ADCP/ Special Branch dated 04.07.2019, 88/Reader/ADCP/ Special Branch dated 27.09.2019, 148/Reader ADCP/ Special Branch dated 09.03.2020, 123/Reader ADCP/ Special Branch dated 26.02.2020, 285/Reader ADCP Special Branch dated 20.12.2019. 197/ Reader ADCP/ Special Branch dated 26.11.2019, 2599/Reader ADCP/ Special Branch dated 01.07.2019, 03/Reader ADCP/ Special branch dated 13.09.2019 however both respondent no.5 and petitioner fail to appear before answering respondent to record their statement as such answering respondent recommended to close the said complaint and forwarded his report to

Commissioner of Police Jalandhar who approved the same on 09.02.2021.

4. *That answering respondent has not receive any complaint dated 03.02.2021 as mentioned in Annexure P3 as such no action was taken by answering respondent.”*

5. In view of the reply filed, considering that petitioner failed to appear before the Investigating Officer inspite of reminders, no further directions are called for, the petition is dismissed.

**(AVNEESH JHINGAN)
JUDGE**

17th May, 2022

Parveen Sharma

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No