

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-7747-2022

Date of Decision :23.02.2022

Amarpal Singh

..Petitioner

Versus

State of Punjab and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Balbir Singh Jaswal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed with a prayer that though, the petitioner was badly assaulted, due to which, grievous injuries were suffered by him and he was admitted in hospital with stitches all over his stomach but, FIR for the said incident has only been registered under Sections 323 and 325 of the IPC and not under the required sections of the IPC keeping in view the grievous injuries suffered by the petitioner and, therefore, an appropriate direction be issued to the respondent-State to look into the matter and decide as to whether proper sections of the IPC as per the facts of this case have been invoked in the present case or not.

Learned counsel for the petitioner submits that as per the petitioner, Section 308 of the IPC should have been invoked as per the facts and circumstances of the present case and the grievance as raised before this Court, has already been raised by the petitioner before the Senior Superintendent of Police, Amritsar (Rural) by way of filing a representation

dated 02.02.2022 (Annexure-P2), which is still pending consideration with the said respondent and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the said representation by passing an appropriate speaking order, especially, keeping in view the fact that investigation is still in progress.

Notice of motion.

Mr. Kirat Singh Sidhu, DAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State and states that the representation dated 02.02.2022 (Annexure P/2) submitted by the petitioner will be decided within a period of 08 weeks from the date of receipt of copy of this order and in case, after the decision, it is found that any action needs to be taken, the same will also be taken without any further delay.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation dated 02.02.2022 (Annexure P/2), respondent No.2 is directed to decide the representation dated 02.02.2022 (Annexure P/2) submitted by the petitioner by passing a speaking order within a period of eight weeks from the date of receipt of a copy of this order.

Present petition stands disposed of.

February 23, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No