

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

244

CRM-M-14850-2018(O&M)

Date of decision: 22.07.2022

KARAMVEER SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB AND ORS.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Shakti Mehta, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for directing the respondent Nos.1 to 4 to protect the life and liberty of the petitioner as well as his family members from the hands of respondent Nos.5 to 6.

Status report by way of affidavit of Pritpal Singh, PPS, Deputy Superintendent of Police, Patran District Patiala has been filed. The relevant extract of the same reads thus:-

2. That the brief facts of the case are that the petitioner submitted an application against respondent No.5 Lakhvir Singh @ Ghoka Singh to the Director General of Police, Punjab, Chandigarh, which was received in the office of Senior Superintendent of Police, Patiala and was further marked to SHO, Police Station Patran vide No.1911-CRM-OP dated 04-12-2017. While taking action against the respondent No. 5, he was challaned under section 107/151 Cr.P.C. vide DDR No. 15 dated 17-1-2018. Copy of Calendra dated 17-01-2018 is attached herewith as Annexure R-1.

3. That apart from this case FIR No.68 dated 23-03 2018 u/s 323, 341, 506, 109, 34 IPC was registered at Police Station Patran on the statement of petitioner against the respondents No. 5, 6 and one unknown person. Accordingly, respondent No. 5 Lakhvir Singh @ Gokha Singh and respondent No.6 Parminder Singh were arrested on 11-06-2018 by the police in the above noted case. The offences are bailable in the said case. The investigation of the said case is still under progress. After completion of investigation of the case, challan will be presented in the Learned Trial Court.

4. xxxxxx

5. xxxxx

6. That in compliance to the order dated 6-3-2018 passed by this Hon'ble Court in CRM M 9349 of 2018, the enquiry in the matter was marked to the Superintendent of Police, Security/Traffic, Patiala by the Senior Superintendent of Police, Patiala vide letter No.8067/CAW dated 14-3-2018. The Superintendent of Police, Security/Traffic, Patiala after completing the enquiry, submitted his report vide No.399/A/SP/Security/Traffic Patiala to the Senior Superintendent of Police, Patiala. The enquiry officer has recommended consigning the applications (Annexure P-1) to the record room in his enquiry report. However, status report has already been filed before the Learned Court of Chief Judicial Magistrate, Patiala in compliance to the orders. passed by this Hon'ble Court.

In view of the averments contained in the status report so filed by the State, learned counsel for the petitioner contends that since the respondent-accused has already been challaned and *kalandra* has been filed under Section 107/151 of the Code of Criminal Procedure and the said respondents having already been arrested in case bearing FIR No.68 dated 23.03.2018, no further cause of action

would survive in the petition.

Dismissed as having been rendered infructuous.

(VINOD S. BHARDWAJ)
JUDGE

July 22, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>