

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CWP-6531-2022****Date of decision: 25.04.2022****Gurdial Singh and another****....Petitioners****V/s.****Chief Electoral Officer Punjab and others****.....Respondents****CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA****Present:** Mr. Nakul Sharma, Advocate
for the petitioners.

Ms. Anu Pal, DAG, Punjab.

Mr. Namit Kumar, Advocate
for Election Commission of India.

Ritu Bahri, J. (Oral)

By this petition, the petitioners are seeking direction to respondents No. 1 and 2 to initiate proceedings against persons mentioned in complaints/applications (Annexure P-1, P-4, P-6, P-7 & P-8) who by making false/forged votes at village Gurditpura as well as Chandigarh, have committed offence under Section 31 of the Representation of People Act, 1950 and offence under Section 171 of IPC. It is further stated that respondent No.1 vide letter dated 29.05.2014 (Annexure P-5) directed respondent No. 2-Deputy Commissioner, Patiala for initiating proceedings against the said persons, but no action has been taken so far.

Pursuant to order dated 30.03.2022, short reply by way of affidavit of Electoral Registration Officer cum Sub-Divisional Magistrate Rajpura on behalf of respondents No. 1 to 3 filed in Court today is taken on record. As per the said short reply, the petitioners

submitted a complaint dated 23.01.2019 and 02.03.2020 (Annexures P-6 and P-7) against certain persons that they have got their names registered in the voter list at two places i.e. Village Gurditpura and Chandigarh. The said complaint was thoroughly enquired by the SDM-cum-Electoral Officer, Rajpura and the persons against whom the complaint was made, were given an opportunity of hearing. The record of the electoral roll of Village Gurditpura was verified and it was found that the names of (i) Gurdeep Singh son of Mohinder Singh (ii) Malkeet Singh son of Joginder Singh, (iii) Harpreet Singh son of Kulwant Singh (iv) Gursimranjit Singh son of Manjeet Singh, (v) Satpal Singh son of Joginder Singh (vi) Amarjeet Singh son of Labh Singh and (vii) Gurmeet Singh son of Labh Singh were deleted on 10.10.2013 on submission of Form-7 by them. However, the names of Kulwant Kaur wife of Amarjit Singh, Kuljit Kaur wife of Gurmeet Singh, Manjeet Singh son of Karam Singh, Kulbir Kaur wife of Manjit Singh, Joginder Singh son of Attar Singh, Dalip Kaur wife of Labh Singh, Charanjit Kaur wife of Joginder Singh still exist in the electoral roll of Village Gurditpura and name of Hardeep Kaur wife of Gurdeep Singh is not there in the current voter list. Since the votes of these eight persons have already been deleted from the voter list of Village Gurditpura in October, 2013 and the General Lok Sabha Elections were held in the year 2014, their names were not in the two voter lists and their votes were deleted from the voter list of Village Gurditpura much before filing of the present writ petition.

Keeping in view that the names of above said eight persons were not in the two voter lists, no further order is required to

be passed.

Writ petition is disposed of.

(RITU BAHRI)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

25.04.2022
Divyanshi

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