

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

236

CRM-M-19884-2018
Date of decision: 15.12.2022

VIJAY KUMAR

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Rhythem Bajaj, Advocate for
Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

AMAN CHAUDHARY. J.

Instant petition has been filed under Section 482 Cr.P.C. for issuing directions to respondent Nos. 2 and 3 to take appropriate action against the accused persons as per enquiry report dated 05.01.2018 conducted by Economic Wing, Ferozepur.

Notice of motion in this case was issued on 10.05.2018, pursuant reply dated 29.06.2018 by way of affidavit of Jaspal Singh, PPS, Deputy Superintendent of Police (Rural), Ferozepur, District Ferozepur has been previously filed by the State. Learned State counsel makes a reference to para No.2 thereof, which reads thus:-

“That in the mean time Vijay Kumar son of Des Raj resident of Jalalabad moved an application dated 07.02.2018 before the SSP, Ferozepur in which he has categorically stated that on same allegations previously petitioner had moved an application no.2012-Special PC dated 02.08.201 before SSP, Ferozepur, on the basis of said application enquiry was conducted by the then DSP (Rural), Ferozepur, and after completion of enquiry the said application was consigned in record room as matter was found to be civil nature. Report of DSP(Rural) Ferozepur is

attached herewith as Annexure R-1/T. But in his enquiry Baltej Singh, ASI, EO Wing has not mentioned anything about previous enquiry and its result. On the basis of said application dated 07.02.2018 moved by Vijay Kumar s/o Des Raj the SSP, Ferozepur directed the SP(D), Ferozepur to conduct the fresh enquiry. However, on the basis of application moved by petitioner himself the enquiry was transferred to SP(H), Ferozepur and during enquiry it transpired that previously on the basis of application moved by petitioner the enquiry was conducted by the then DSP (Rural), Ferozepur and the matter was found to be of civil nature, and application was consigned to record room in the year of 2013. Petitioner remained silent for a period of 4 years and now he has again filed the present application without mentioning about the previous application and enquiry, in which matter was found to be civil in nature and application of the petitioner was consigned to record room. Report of SP(H), Ferozepur is attached herewith as Annexure R-2/T.

In view of the aforesaid, learned State counsel submits that the present petition has been rendered infructuous and may be disposed of as such.

In view of the above, no further orders are required to be passed in the present case.

Petition is disposed of as having been rendered infructuous.

However, liberty is granted to the petitioner to avail of alternate remedy as may be, available to him, in accordance with law.

(AMAN CHAUDHARY)
JUDGE

December 15, 2022
P.Bhatt

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