

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

229

CRM-M-26218-2018

Date of Decision: 13.12.2022

Jashin Mehra

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Akaant Kumar Mittal, Advocate
for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition under Section 482 Cr.P.c. is seeking direction to respondents No.1 to 4 to submit a report regarding investigation qua representation (Annexure P-3) of the petitioner and submit the status report of the investigation undertaken by the police officials.

The State has filed status report dated 26.11.2018 disclosing that the petitioner did not appear before the enquiry office instead of repeated telephonic calls, thus, left with no option, the enquiry officer i.e. SHO Machhiwara on 29.07.2018, prepared a detailed report suggesting that no action is warranted on the representation of the petitioner. The reply further suggests that on the complaint of the respondent No.6, an FIR No.178 dated 17.10.2018 under Sections 420 and 120-B of IPC has been registered against the petitioner and his brother Sanjay Mehra at Police Station Machhiwara.

Learned counsel for the petitioner on instructions from the

petitioner submits that the petitioner had actually joined the enquiry, however, respondents has filed false affidavit disclosing that the petitioner did not appear before the enquiry officer.

The petitioner has prayed for direction to the respondents to place on record the report regarding the investigation undertaken by the police authorities. The affidavit dated 26.11.2018 is disclosing steps taken by the police and it is disclosing action taken by the police on the representation of the petitioner.

As per petitioner, there are false averments in the affidavit. Whether the petitioner has appeared before the enquiry officer or not is a pure question of fact which this Court while adjudicating a petition where limited prayer was to direct the respondents to file status report of investigation, cannot adjudicate. This Court in the present petition has no jurisdiction to look into these disputed questions.

Faced with these facts, the petitioner seeks liberty to approach higher police officials with regard to his grievance against the police officials as well as the private respondents.

In view of the above factual matrix, no further order is warranted.

Disposed of with aforesaid liberty.

(JAGMOHAN BANSAL)
JUDGE

13.12.2022
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>