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

CRM-M-21174-2022

Date of decision : 17.05.2022

Balwant Singh (Retired)

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. R.K. Arya, Advocate for
Ms. Sukhveer Kaur, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for issuance of appropriate directions to the official respondents to look into the matter and take appropriate action in accordance with law.

Learned counsel for the petitioner has submitted that the petitioner has given representation dated 11.04.2022 (Annexure P-1) to respondent No.3-Senior Superintendent of Police, District Gurdaspur, in which, he has made specific allegations against Mandeep Singh-SHO (respondent No.4) and Jagdish Kumar-ASI (respondent No.5) and has stated that although, the recovery of the articles stolen from the house of

the petitioner was effected and even the persons who have committed the offence have been recognized and identified in the CCTV Footage but the said two officers are not showing the recovery effected from the house of the petitioner and they have let the accused persons shown in CCTV Camera get off scot-free.

Learned counsel for the petitioner has further submitted that the petitioner would be satisfied in case, the present petition is disposed of with direction to respondent No.3-Senior Superintendent of Police, to look into the representation dated 11.04.2022 (Annexure P-1) and after considering the same, take appropriate action in accordance with law.

Notice of motion.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab appears and accepts notice on behalf of the respondents and has submitted that he is fully prepared to argue the matter and assist this Court. It is further contended that the averments made in representation dated 11.04.2022 (Annexure P-1) would have to be verified and cannot be taken to be true on its face value. However, he has no objection in case, respondent No.3-Senior Superintendent of Police is directed to look into the said matter, in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.3-Senior Superintendent of Police, to look into the representation dated 11.04.2022 (Annexure P-1) and after considering the same, take appropriate action as expeditiously as possible in accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioner and it would be open to respondent No.3 to make his independent enquiry/assessment with regard to the representation.

In view of what has been observed above, the present petition is disposed of in the abovesaid terms.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.

17.05.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No