

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-25444-2022 (O&M)

Date of decision: 14.11.2022

GURSEWAK SINGH

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ramandeep Singh, Advocate
for the petitioner.

Mr. M.S. Joshi, Additional AG Punjab.

Mr. K.S. Dhanora, Advocate
for respondent Nos.5 and 6.

AMAN CHAUDHARY. J.

Present petition has been filed under Section 482 CrPC for calling the status report on the application given by the petitioner vide application No.4731-P dated 11.10.2021 (Annexure P-1) submitted to respondent No.3.

Notice of motion in this case was issued on 02.06.2022, pursuant to which reply dated 18.07.2022 by way of affidavit of Ravi Kumar, IPS, Senior Superintendent of Police, Police District Khanna, District Ludhiana had been filed.

Learned State counsel makes a reference to para 3 of the reply, which reads thus:-

3. That all the above said applications were inquired jointly by summoning both the parties who are husband and wife. Since it was a matrimonial dispute between the couple, therefore detailed inquiry into the matter was conducted by the inquiry officer by going through the documents produced by both the parties. That from the statements of the parties and documents supplied by them, the inquiry officer has suggested that prima facie a case U/S 406, 498-A IPC is made out against the petitioner. Whereas no truth has been found in the allegations levelled by the petitioner, thus, prima facie no offence was

made out. hence no action was proposed regarding application filed by the petitioner. That the report of the inquiry officer Superintendent of Police (HQ), Khanna was approved by the deponent on 19.04.2022 with a direction that the report of the inquiry officer has been accepted and SHO, P.S. Samrala was directed to register the FIR U/S 498-A, 406 IPC against the petitioner. The application No. 4731-P dated 11.10.2021 was filed by the petitioner Gursewak Singh against Jaspreet Kaur, Paramjit Singh, Kulwant Kaur, Jaswinder Singh etc. for countering the application filed against him. The true translated copy of conclusion and recommendation dated 18.04.2022 made by the inquiry officer in which the inquiry officer has concluded the allegation leveled in these applications against each other is attached herewith as Annexure R-1/T.

Learned State counsel submits that in view of the above, the instant petition has been rendered infructuous.

Faced with this, learned counsel for the petitioner prays for grant of liberty to avail of alternate remedy.

In view of the reply filed by the State, no further order is required to be passed in the matter and the same is disposed of as having been rendered infructuous.

However, liberty as prayed for by the learned counsel for the petitioner is granted to avail of any alternate remedy that may be available, in accordance with law.

(AMAN CHAUDHARY)
JUDGE

November 14, 2022

S.Sharma(syr)

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