

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

**CRM-M No.32821 of 2022 (O&M)
Date of Decision: 31st August, 2022**

Rishabh Kanojia

...Petitioner

Versus

State of Punjab & Others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Ms. Jigyasa Tanwar, Advocate,
for the petitioner.

* * * *

MEENAKSHI I. MEHTA, J.(ORAL)

CRM No.30718 of 2022

This application has been moved on behalf of the applicant-petitioner for placing the photographs on the record, as Annexure P-6.

Heard.

Keeping in view the reasons as mentioned in this application, the same is allowed and Annexure P-6 is taken on the record.

CRM-M No.32821 of 2022

By way of the instant petition, the petitioner has invoked the jurisdiction of this Court under Section 482 Cr.P.C for seeking the issuance of directions to respondents No.1 and 2 to conduct an enquiry into the veracity of the allegations levelled against him and his friends in the FIR bearing No.163 dated 17.06.2022 registered at Police Station Division No.5, Ludhiana, under Sections 188, 283 IPC and Section 8-B of the

National Highways Act and to initiate appropriate action against the concerned police officials, i.e respondents No.3 & 5, for registering a false criminal case against them in connivance with respondent No.4 and also to transfer the investigation qua the said FIR to the police officials/officers of some other District in the State and further, to take action on the complaint as well as the representation Annexure P-2 submitted by him.

2. Mr. Arun Gupta, learned Assistant Advocate General, Punjab, has appeared on behalf of all the respondents in this case in pursuance of the copies of the present petition having been sent to the respondent-State in advance and on the instructions from ASI Harmesh Lal from the above-mentioned Police Station, he apprises the Court that the investigation in connection with the subject FIR has already been concluded and the Challan has also been presented before the competent Court on 06.08.2022 and moreover, on the date of occurrence, the notification/order issued by the competent authority under Section 144 Cr.P.C, was in force and he has also submitted the copy of the said notification/order (in vernacular) in the Court and the same has been placed on the file.

3. In view of the afore-discussed submission as made by learned State counsel, it is explicit that the present petition has partly become infructuous to the extent so far as it pertains to the prayer of the petitioner for the issuance of directions to respondents No.1 & 2 to conduct enquiry in respect of the veracity of allegations as levelled in the said FIR and to transfer the investigation of the same to the police authorities of some other District in State and also to take appropriate action on his representation

Annexure P-2 (actually annexed as P-3) which contains the above-said prayers and therefore, it stands partly disposed of accordingly.

4. As regards the relief sought by the petitioner qua the initiation of the appropriate action against respondents No.3 and 5, it is pertinent to mention here that at this stage, there is nothing on the file to come to the conclusion that the afore-said FIR had been registered on the basis of the false allegations. Therefore, the petition in hand stands partly dismissed to the above-said extent.

31.08.2022
seema

(MEENAKSHI I. MEHTA)
JUDGE

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