

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

CRWP No.8403 of 2021

Date of Decision: 23.02.2022

Chandan Munjal

.....Petitioner.

Versus

State of Haryana and others

.....Respondents.

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

Argued by:- Mr. H.S. Brar, Senior Advocate with
Mr. Sumeetpal Singh Sidhu, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana
for respondents No.1 to 4.

Mr. Gautam Diwan, Advocate
for respondent No.5.

MEENAKSHI I. MEHTA, J.

By way of the instant petition, the petitioner has sought the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.1 to 4 to protect his life and liberty and not to harass and humiliate him at the instance of respondent No.5 and also to file a status-report regarding the proceedings initiated on the complaint moved by respondent No.5 with the same set of allegations which were investigated and were found to be false, earlier also.

Bereft of unnecessary details, the averments as canvassed by

the petitioner in the present petition, are that respondent No.5, who is his real brother, is in the habit of moving complaints against him while levelling false allegations and such complaints have, earlier, been filed by the competent authorities as the allegations levelled therein were found to be baseless. There is a policy issued by the Government of Haryana to deal with such an eventuality and therefore, the same needs to be adhered to.

Status-report has already been filed on behalf of respondents No.1 to 4, by way of the affidavit of Assistant Commissioner of Police, Udyog Vihar, Gurugram.

I have heard learned Senior counsel for the petitioner as well as learned State counsel and learned counsel for respondent No.5 in this petition and have also perused the file thoroughly.

Learned Senior counsel for the petitioner contends that respondent No.5 is having some monetary/property dispute with the petitioner and he has been filing the complaints against the petitioner due to this reason and during the enquiry in respect thereof, such complaints have been found to be *sans* any substance and have, accordingly, been filed and therefore, the successive complaints on the same set of allegations are not to be entertained by the official respondents and the petitioner should not be called repeatedly by the police in connection with the enquiry qua the same.

Per contra, learned State counsel has argued that the complaint, as moved by respondent No.5 against the petitioner, has already been filed and the cancellation report has also been prepared in respect of

the FIR registered on the basis of another complaint as preferred by respondent No.5 against the petitioner and the guidelines issued vide the said Policy are being strictly followed while dealing with such complaints and therefore, this petition be dismissed.

Concededly, there is a long drawn dispute between the petitioner and respondent No.5 regarding the monetary transactions and property as well but it has categorically been mentioned in Para No.4 of the preliminary submissions in the said Status-report that FIR No.395 dated 18.09.2019 was registered at Police Station Udyog Vihar on the basis of the complaint moved by respondent No.5 against the petitioner with the allegations of his (petitioner's) having sent the bogus and forged GST number to the tenant companies in their premises but the cancellation report had been prepared in respect thereof. In Paras No.2 and 3 therein, it has also been deposed that a separate complaint moved by respondent No.5 against the petitioner on 31.07.2021 has also been filed as the matter was found to be of civil nature.

The afore-discussed contents of the Status-report speak volumes of the fact that the official respondents are not harassing or posing any threat to the life and liberty of the petitioner. Moreover, this Court does not deem it appropriate to pass any blanket order/direction to these respondents for any future act or omission on the part of any of the private parties.

As a sequel to the fore-going discussion, it follows that the

instant petition, being *sans* any merit, deserves dismissal. Resultantly, the same stands dismissed accordingly.

February 23, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*