

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

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CRM-M-33414-2020

Date of Decision: August 22, 2022

SURINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- None for the petitioner.

Mr. R. S. Khaira, Assistant AG, Punjab.

AMAN CHAUDHARY, J.(Oral)

The present petition under Section 482 Cr.P.C. has been filed for issuance of directions to respondents No.1 to 3 to take appropriate legal action against respondents No.4 to 6 for committing fraud and cheating with the petitioner to the tune of Rs.1.75 lacs and also for taking action against respondent No.6 who in connivance with respondents No.4 and 5 criminally misappropriated the cheques entrusted to him as a guarantee/witness to the agreement/compromise dated 23.11.2019.

Notice was issued on 26.10.2020 to the respondents and learned State counsel was directed to file reply/status report on behalf of respondents No.1 to 3 and the same had been filed on 03.12.2020. It is stated therein that the matter was enquired into. The relevant paras of status report are as under:-

“That during enquiry it transpired that petitioner Surinder Singh has given money to Ashwani Kumar i.e. respondent no.4 and Ashwani Kumar has filed civil case against Surinder Singh i.e. petitioner which is pending before the Court of Ms. Sushma Devi Ld, Additional Civil Judge Senior Division Jalandhar and said case is

pending adjudication as such no involvement of police is required in the said case as such it was recommended to close the complaint filed by petitioner vide report dated 04.08.2020.

5. That Incharge Police Post Paragpur, PS Cantt, Jalandhar submitted his report to SHO PS. Cantt. who approved the same on 07.08.2020 and forwarded the same to answering respondent and answering respondent approved the same on 11.08.2020.

6. That thereafter answering respondent forwarded his report to Commissioner of Police Jalandhar and it was approved by him on 14.08.2020 and said complaint was closed.

7. That petitioner has filed complaints bearing No.4549-PTM dt.30.09.2020, 1174-DGP dt.07.09.2020, 37-PTD dt.08.10.2020 against private respondent and ASI Surinderpal Singh Incharge Police Post Pragpur, PS Cantt, Jalandhar and said complaints were entrusted to answering respondent and thereafter answering respondent entrusted the same to SHO PS Cantt for enquiry and during enquiry it transpired that civil litigation is going on between petitioner and private respondent as such said complaints were recommended so be closed vide his report dated 18.11.2020.”

It may be noticed that after notice of motion, no one has appeared on behalf of the petitioner as is apparent from orders dated 08.12.2020, 13.01.2021 and 01.02.2021. It seems that the petitioner is no longer interested in pursuing the matter or is otherwise satisfied with the enquiry conducted by respondent-State.

In view of the above, no further order is required to be passed in the matter. Accordingly, the present petition stands disposed of as having been rendered infructuous.

Liberty is however, granted to the petitioner to revive the petition in case there is any cause of action still survives.

August 22, 2022
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(AMAN CHAUDHARY)
JUDGE

Whether reasoned/speaking: Yes/No