

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

**CRM-M-41393-2022
Date of decision: 12.09.2022**

ARUN GARG

....Petitioner

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Arun Garg-petitioner in person.

Mr. Sandeep Kumar, DAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

The petitioner has approached this Court for quashing of FIR No. 48 dated 26.03.2022 under Sections 354 and 427 of IPC, registered at Police Station Sadar, Ludhiana, Police Commissionerate Ludhiana, Punjab and all subsequent proceedings arising therefrom.

The petitioner has submitted that his prosecution in this case is nothing but an abuse of process of the Court. He further submitted that he has already filed complaints against the respondent(s) and some Police Officials as well. He further submitted that the present FIR has been registered only as an act of vendetta, so as to compel the petitioner to compromise the complaints which has been initiated at his behest against the respondent and Police Officials.

Notice of Motion.

On asking of Court Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent-State.

On instructions from H.C. Gurjeet Singh, learned State

counsel at the outset has submitted that the Police Official i.e. Om Prakash

ASI who has been named by the petitioner has already been transferred from concerned Police Station. He has further submitted that the case is under investigation and a new Investigating Officer is yet to be appointed.

After arguing for some time the petitioner prays for withdrawal of this petition with liberty to avail the alternative remedy as available under the law.

After hearing the parties, the present petition is disposed of with a direction to the Commissioner of Police, Ludhiana to appoint the Investigating Officer who would conduct an independent and fair investigation in accordance with law. The State is directed to complete the investigation within two months from today.

Disposed of accordingly.

12.09.2022
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(RAJESH BHARDWAJ)
JUDGE

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