

**(240) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-45427-2022

Date of Decision: 13.12.2022

Amandeep Ram

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

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

Mr. Aman Dhir, D.A.G. Punjab.

SANDEEP MOUDGIL, J. (Oral)

The instant petition filed under Section 482 Cr.P.C has been moved for directing respondents No.2 to 4 not to harass the petitioner unnecessarily at the instance of respondent No.5 as well as issuance of direction to respondent No.2 to decide the representation dated 21.09.2022 (Annexure P-3).

Today an affidavit of Bhagirath Singh Meena, IPS, Senior Superintendent of Police, SBS Nagar, District SBS Nagar has been filed on behalf of respondents No.1 and 2, paragraphs 3, 4 and 5, whereof read as under:

3. *That it is further submitted that Deputy Superintendent of Police (PBI, H &F), SBS Nagar, thoroughly inquired the matter and vide its report dated 01.10.2022, reported that on 19.09.2022 one Kirandip Kaur wife of Baljit Kaur, resident of village Khurd, Police Station Aur, District Shaheed Bhagat Singh Nagar, got recorded her statement to respondent No.4, alleging therein that on 18.09.2022, at about 11:15 PM, while she along with her mother-in-law Ranjit Kaur was sleeping in the house and she heard some noise at the rear courtyard of her house and she alongwith her mother-in-law went outside where three boys were present in her house and they all have muffled their faces and one of them was armed with iron Daat*

and the said boys snatched her wearing earrings and then confined her in the rear washroom and then they also snatched the wearing earrings of her mother-in-law Ranjit Kaur and then fled away from the spot by scaling the wall of the house. It was further alleged by Kirandip Kaur that she raised hue and cry and then her neighbors took her out and she requested to take action in accordance with law. It is further submitted that on the basis of aforementioned statement of Kirandip Kaur, FIR No.76 dated 19.09.2022, under Section 379-B, 457, 342, 34 IPC at Police Station Aur, District SBS Nagar.

4. That it is further reported by Deputy Superintendent of Police (PBI, H&F), SBS Nagar, that while carrying out the investigation and to find any clue regarding the accused of the aforementioned FIR, on 19.09.2022, the investigating officer-respondent No.4, verified and perused the CCTV footage of the cameras installed in the houses of inhabitants of village Khurd. It is further submitted that on 19.09.2022, the investigating officer-respondent No.4 also visited the house of the petitioner in order to peruse the CCTV footage of the outer cameras installed outside the house of the petitioner, however, on that day, only the mother and wife of the petitioner were at his home and investigating officer-respondent No.4 did not enter the house of the petitioner, since no male member was there in the house. It is further submitted that on 20.09.2022, again police of police station Aur visited the house of the petitioner to check the CCTV footage to find out any clue about the assailants/accused of FIR No.76 dated 19.09.2022, but on that day also the CCTV footage could not be perused as the DVR installed in the house of the accused was at a height and again finally on 21.09.2022, respondent No.3 along with police party again visited the house of the petitioner in order to check the CCTV footage, as the location of the house of the petitioner was towards the exit points of the accused of the aforementioned case. It is further submitted that from the perusal of CCTV footage recorded in the DVR installed in the

house of the petitioner, the lead to three accused was received to the police and later on thorough investigation was carried out and after investigation identity of three accused namely Harpreet Singh @ Happy son of Amrik Singh, Amritpal Singh son of Kulwinder Singh and Sheela son of Surinder Pal, was ascertained and they were nominated in the said case and two accused namely Harpreet Singh @ Happy and kulwinder Singh were arrested in the said case and both pairs of errands of the victim-Kirandip Kaur, her mother-in-law Ranjit Kaur and iron Daat used by the accused have been recovered from their possession, however, third accused is still at large. It is further submitted that the accused of the aforementioned case could be traced and nabbed only on the basis of CCTV footage of the cameras installed in the outside the house of the petitioner.

5. *That it is further reported by the Deputy Superintendent of Police (PBI, H & F), SBS Nagar, that the petitioner is not wanted in any case by the police of Police Station Aur, nor any complaint has been received against him from any person including respondent No.5 and he was never called by any of the police officer including respondent No.3 and 4, after 19.09.2022, in any connection. It is further submitted that the petitioner has misconceived the visits of the respondent No.3 and 4 in his house, on 19.09.2022, 20.09.2022 and 21.09.2022, whereas, respondent No.3 and 4 had only sought assistance of the petitioner in the investigation of the FIR No.76 dated 19.09.2022, as mentioned above.*

After perusing the aforesaid averments made in the affidavit, this Court is of the opinion that the petitioner is not wanted in any case by the police nor any complaint has been received against him from any quarter whatsoever. It is also forthcoming that on verification of facts and circumstances during enquiry carried out into the allegations levelled by the petitioner, it has been found that the same are unfounded and baseless.

With regard to the CCTV footage of the cameras installed in the house of the petitioner, it has been categorically stated in the affidavit that none of his family members was harassed or questioned unnecessarily.

In view of the stand taken by the respondent-State by way of status report, nothing survives in the instant petition and the same is disposed of as having been rendered infructuous.

13.12.2022
rajeev

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No