

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-8778-2022

Date of decision : 02.03.2022

Jitendra Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Balvinder Sangwan, Advocate
for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 482 Cr.P.C. seeking for direction to respondent no.2 to take action on the complaint / representation (Annexure P-5).

Learned counsel for the petitioner has submitted that he has given a representation dated 13.10.2021 (Annexure P-5) to the Superintendent of Police, Palwal in which allegations have been made against police officials and it has been stated that although, the present petitioner is not accused in any FIR but he was kept and tortured in illegal custody and even an amount of Rs.50,000/- had been demanded by the police officials and details of the mobile number of the police officials have also been provided in the said representation. Along with the present

petition, recording (Annexure P-3), which *prima facie* seems to be a conversation between the police officials and relatives of the petitioner, has also been annexed. It is also submitted that even the mobile phone of the petitioner is still in the possession of the police officials working at the Police Station situated at City Palwal. It is further submitted that the petitioner would be satisfied in case respondent no.2-Superintendent of Police, Palwal, looks into representation dated 13.10.2021 and after considering the same, takes appropriate action therefrom, in accordance with law.

Notice of motion.

On advance notice, Mr.Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of the respondents. He has tried to justify the act of the police officials but however submitted that he has no objection in case, representation dated 13.10.2021 (Annexure P-5) is considered by respondent No.2-Superintendent of Police, Palwal, in accordance with law.

Keeping in view the above said facts and circumstances of the present case, the present petition is disposed of with a direction to respondent No.2-Superintendent of Police, Palwal to look into the representation dated 13.10.2021 (Annexure P-5) and after considering the same along with the recording, annexed as Annexure P-3, take appropriate action, in accordance with law, within a period of one month from the date of receipt of certified copy of the present order.

It is, however, clarified that this Court has not gone into the merits of the allegations levelled by the petitioner and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the allegations made by the present petitioner.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.

(VIKAS BAHL)
JUDGE

March 02, 2022
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No