

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

**CRM-M-50301-2022
DECIDED ON: 31.10.2022**

KULBIR CHAKKAL @ BALBIR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. R.S. Waraich, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition filed by the petitioner under Section 482 Cr.P.C., for directing the respondents No.1 to 3, to conduct fair and impartial investigation of the matter in case FIR No.105, dated 14.08.2022 (Annexure P-1), under Sections 302, 148, 149 and 506 of the IPC, registered at Police Station Khamano, District Fatehgarh Sahib.

The petitioner has sought direction to none other but the Director General of Police for conducting fair and impartial investigation in the aforesaid FIR.

It is an admitted fact that the investigation is still under progress and without awaiting the outcome of investigation, the petitioner came out with the plea that the Investigating Agency tried to exonerate three persons to whom the petitioner named in the complaint. It is also an admitted fact that all the three persons were not named in the FIR. Thereafter, the petitioner did not take any step to get them named in the FIR except filing a

representation dated 13.10.2022 (Annexure P-2), addressed to the Director General of Police, Punjab, Police Headquarters, Sector 9, Chandigarh and Senior Superintendent of Police, Fatehgarh Sahib.

Learned counsel for the petitioner further asserted that there is a severe threat to the life and liberty of the petitioner. From the pleadings as well as representation, learned counsel for the petitioner is unable to refer to any kind or mode of threat perception.

A perusal of the whole petition along with the annexed representation as well as the FIR, this Court is fully convinced and is of the considered view that the present petition is an abuse of process of law, which merely tantamounts to filing of luxury petitions involving the powers of this Court under Section 482 Cr.P.C.

Be that as it may, without commenting on the merits of the case, confining itself to the prayer made in the present petition, this Court is not inclined to interfere in the investigating process particularly in view of the fact that there is no specific instance of threat perception referred in the petition.

Hence, the petition deserves to be dismissed being devoid of any merits, at this stage with costs of Rs.25,000/- imposed upon the petitioner, which shall be deposited by the petitioner with the High Court Lawyers' Welfare Fund.

Ordered accordingly.

(SANDEEP MOUDGIL)
JUDGE

31.10.2022

Poonam Negi

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*