

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52973-2021
Reserved on: 28.04.2022
Pronounced on: 13.05.2022

Harpreet Kaur Garcha and another

...Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. S.S. Salar, Advocate
for the petitioners.

Mr. H.S. Multani, AAG, Punjab.

Mr. Manju Goyal, Advocate
for respondents no.5 to 8.

ANOOP CHITKARA, J.

Seeking appropriate action against respondents no.5 to 8 for filing false and frivolous complaints against the petitioners and their families, as enumerated in the reply dated 30.10.2021 filed by the Superintendent of Police, NRI Wing, Patiala, the petitioners have come up before this Court by filing the instant petition under Section 482 CrPC.

Deputy Superintendent of Police, NRI Wing, Bathinda filed reply dated 10.02.2022 and as per which, the matter was enquired into and subsequently, the Superintendent of Police, NRI Wing, Patiala remanded the file back for fresh inquiry. Accordingly, fresh inquiry was conducted and the petitioners were granted time for presenting their statements and documents in support of their version till 16.10.2021.

Later on, the petitioners were again asked to join the inquiry through written Parvanas dated 17.12.2021 and 10.01.2022, but they did not turn up before the Inquiry Officer and in fact, sent their reply through their advocate by way of an email. It was mentioned that the matter was *sub judice* and as such, the Inquiry Officer cannot call them for the inquiry. It is further mentioned in paragraph 3(xi) that Additional Director General of Police, NRI Wing, Punjab, on receipt of complaint, has ordered 'to examine the facts and report'. It is mentioned that the inquiry is going on and it shall be completed without any bias.

Given the explicit response of the State, this petition has served its purpose and no further order is required to be passed till the inquiry is concluded. In case the petitioners are serious in the inquiry proceedings, they should appear before the Inquiry Officer as and when called upon. The Inquiry Officer shall give at least one more opportunity to the petitioners to join the inquiry proceedings and present their version and the inquiry be completed within 60 working days from today.

Accordingly, the present petition is disposed of and liberty reserved to the petitioners to approach this Court in case any need arises.

(ANOOP CHITKARA)
JUDGE

May 13, 2022
AK

Whether speaking/reasoned:	Yes
Whether reportable:	No.