

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

129

CWP-24394-2022

Date of decision: 16.11.2022

SUDESH RANI

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Varun Goyal, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus for directing the respondent No.2 to take appropriate action against the respondents No. 3 to 6 on the basis of report dated 13.10.2017 (Annexure P-2) submitted by SIT and a further prayer to direct the respondent No.2 to decide the representation dated 06.09.2022 (Annexure P-4).

Learned counsel appearing on behalf of the petitioner inter alia contends that the Investigating Officer in case bearing FIR No. 30 dated 17.03.2014 under Sections 380 & 457 registered at Police Station Sadar Kapurthala had not performed his duties as per law and thus consciously misdirected the investigation. The SIT was constituted to look into the aforesaid aspect which submit their report on 16.05.2017 pointing out that the Investigating Officer had not carried out proper investigation. It is submitted that a representation is also submitted to

the office of Director General of Police in the year 2022 for taking action against the Investigating Officer, however, no action has been taken thereupon.

Learned counsel appearing on behalf of the petitioner has confronted with the fact that the Punjab Police Act, 2007 provides for Chapter VIII pertaining to Police accountability and has constituted a State Police Complaints Authority and also the Divisional Police Complaints Authority. Evidently, the petitioner has not approached the statutory forum prescribed under the Police Act for redressal of his grievances against the police authorities.

In view of the available statutory remedy to the petitioner, he seeks permission to withdraw the present petition so as to take recourse to the alternative remedy available to him in accordance with law.

Dismissed as withdrawn with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 16, 2022

Vishal sharma

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