

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

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CRM-M-53350-2022 (O&M)

Date of Decision: 24.11.2022

JASPAL SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Lalit Singla, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks issuance of directions to respondents No.2 to 4 to take legal action against respondents No.5 to 9 for filing false report before this Court in CRWP No.803 of 2017 titled as Dharampal Singh vs State of Punjab and others.

Learned counsel for the petitioner submits that one Dharampal Singh preferred CRWP-803-2017 before this Court for release of detenues, namely, Gulzar Singh and Jaswinder Singh (uncles of the petitioner), alleged to be illegally detained by the Officials of Police District Ferozepur and that too at the instance of Jaspal Singh (petitioner herein) and others and that in the said petition, vide order dated 12.07.2017, a Coordinate Bench of this Court had appointed a Warrant Officer to search the whereabouts of the detenues named above. He further submits that the warrant officer raided the concerned Police Station on 13.07.2017, where the detenues were found present and they

were duly identified by Dharampal Singh; that thereafter, reply dated 10.08.2017 on behalf of the respondent-State was filed and that vide order dated 10.04.2019 passed by a Coordinate Bench of this Court, the investigation in the said case was ordered to be transferred to Bureau of Investigation, Punjab at Chandigarh, to be conducted by the Officer not below the rank of an IPS Officer. Still further, it is submitted that Dharampal Singh hatched a conspiracy along with Gulzar Singh and Jaswinder Singh in order to rope the petitioner along with others in a false case.

Learned counsel for the petitioner further submits that vide letter dated 01.05.2019, the Director, Bureau of Investigation, Punjab, Chandigarh, had directed the IPS Officer to conduct the investigation and give his report and that, as per the report of the Officer concerned, it was recommended to take action against Gulzar Singh, Jaswant Singh, Dharampal Singh and Shamsher Singh. He further submits that the said recommendations were forwarded to the Director, Bureau of Investigation, Punjab, Chandigarh vide letter dated 25.02.2020, yet no action has been taken on the same till date. It is, thus, contended that a fraud has been played by Gulzar Singh, Jaswinder Singh, Dharampal Singh and their associates with the petitioner as well as this Court and accordingly, legal action be taken against them for the said act.

I have heard the learned counsel for the petitioner.

As noticed above, as per the report of the Officer concerned, a misleading statement has been given by Dharampal Singh before this

Court, in connivance with Gulzar Singh and Jaswinder Singh and thus, they have committed an offence. This being the position, the petitioner has a remedy to approach the Court below for redressal of his grievances, if so advised.

No orders are required to be passed by this Court, at this stage.

Dismissed.

24.11.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*