

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

CRM-M-49563-2019

Date of decision: 25.07.2022

Gurdev Singh

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioner.

Mr. Dhruv Dayal, Sr.DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for issuance of directions to respondents No.2 and 3 to look into the applications dated 03.05.2019 (Annexure P-2) and 22.07.2019 (Annexure P-3), moved by the petitioner, and to proceed with the same as the accused persons in connivance with each other had committed the offence and the police wants to implicate the petitioner and his family members in a false case at the instance of the accused.

Vide order dated 10.01.2020, this Court while issuing notice of motion, had directed respondent No.3-Senior Superintendent of Police, Amritsar Rural, to file his affidavit qua the assertions made in the petition.

In pursuance thereof, reply dated 26.02.22021, by way of affidavit of the Senior Superintendent of Police, Amritsar (Rural), District Amritsar, filed in the Registry, is taken on record.

As per the office report, notice could not be issued to respondents No.5 to 9 for want of process fee. As such, service of notice upon them is dispensed with.

I have heard the learned State counsel.

A perusal of the affidavit filed by the Senior Superintendent of Police, Amritsar (Rural) would show that the application dated 22.07.2019 moved by the petitioner, had never been received in the office of the Senior Superintendent of Police, Amritsar (Rural); that the petitioner was neither called in the police station nor asked to sit till late night in the police station, and that the allegations levelled by the petitioner are false. It is also mentioned in the affidavit that in case the petitioner moves an application afresh alongwith proper evidence, needful would be done in accordance with law.

In view of the above, the present petition is disposed of with a direction to respondents No.2 to 4 that in case, the petitioner moves a fresh application/representation, the same shall be dealt with, in accordance with law.

25.07.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No