

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

103

**CWP-29866-2022 (O&M).  
Date of Decision: 23.12.2022.**

**Sarbjeet Singh**

**...Petitioner**

**Versus**

**State of Punjab and others**

**...Respondents**

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

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Present: Mr. Rishabh Gupta, Advocate for the petitioner.

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**VINOD S. BHARDWAJ. J ORAL)**

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of mandamus directing the Respondent Authorities to decide the representations dated 14.12.2022 (Annexure P-3) and dated 16.12.2022 (Annexure P-4), filed by the petitioner.

Briefly summarized, the submissions advanced by the counsel for the petitioner is that he is an agriculturist having two minor children. The petitioner had a dispute with his cousin and uncle in relation to the land holding. Private respondents No.5 and 6 started raising a dispute with the petitioner on one pretext or the other and even the electricity poles supplying electricity to the house of the petitioner

were uprooted in the month of June and August, 2021. He contends that the said dispute has been resolved in a Panchayat of family members and respectable of the locality and a compromise had also been effected. The said compromise has been appended with the present petition as Annexures P-1 and P-2 respectively. He contends that the petitioner was called by the Police Chowki at village Dalla in the month of December 2022 on a purported complaint filed by one lady namely Kajal who is a domestic worker in the house of the private respondents i.e. the uncle and cousin of the petitioner with whom the dispute had earlier erupted. He contends that the petitioner had been appearing before the Police Chowki on repeated occasions and that he has already submitted a representation to the Senior Superintendent of Police, that the complaint submitted by Kajal is false, malicious and motivated at the behest of the private respondents so as to pressurize the petitioner. It is further contended that inquiry into the aforesaid complaint be got conducted in an impartial manner.

I have heard the learned counsel for the petitioner.

There is no reason for this Court to assume that the inquiry into the complaint submitted by the complainant Kajal shall not be carried in an impartial, fair and transparent manner. Merely because the petitioner has been summoned by the Police Chowki in relation to the inquiry into the complaint cannot *ipso facto* be a ground to assume that the Investigating Agency/Inquiry Officer is proceeding against the petitioner on account of malicious intent at the behest of the private respondents. It is also not the allegation leveled in the present petition or argued at the Bar that the Inquiry Officer/Police Agency has, in any

manner, tried to exercise any influence or pressure upon the petitioner to enter into any undue settlement with the private respondents.

In any case, since the representation has been submitted, it is assumed and expected of the Investigating Agency that the same shall be duly taken into consideration and a fair opportunity to the petitioner shall also be afforded during the course of the investigation/inquiry into the matter. No further directions are required to be called for. The present petition is accordingly disposed of at this stage.

**December 23, 2022**  
***raj arora***

**(VINOD S. BHARDWAJ)**  
**JUDGE**

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