

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

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CRM-M-853-2020 (O&M)

Decided on : May 09, 2023

SANJEEV KUMAR

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Vikas Chaudhary, Advocate for
Mr. B.S. Jattan, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Anurag Singh Tagra, Advocate
for respondent no.5.

NAMIT KUMAR, J. (Oral)

By way of filing the present petition under Section 482 of Code of Criminal Procedure, 1973, the petitioner has approached this Court for issuance of directions to the official respondent nos.2 to 4 to not to harass the petitioner and not to interfere in the peaceful working of the business of the petitioner at the instance of respondent no.5 with further directions to respondent no.1 and 2 to protect life and liberty of the petitioner at the ends of respondent no.5 by taking action on representation dated 01.01.2020 (Annexure P-3).

On issuance of notice of motion, short reply by way of affidavit dated 19.01.2023 of Ms. Navneet Kaur, PPS, Deputy Superintendent of Police, Sub Division Budhlada, District Mansa on behalf of the respondent-State has been filed by the learned State counsel . In para no.6 of the reply, it has been stated as

under:-

“ 6. That it is stated that as detailed in Para No.4 & 5 of the reply in hand, it can easily be ascertained that the above captioned petition is filed by the petitioner leveling false allegations qua the answering respondents, just to pressurize the police officials to help him in retaining the possession of the disputed premises, regarding which, civil litigation is pending between the private parties before the Ld. Civil Court at Budhlada. It is also stated that no harassment was ever caused by the police officials to any of the party, however, after joining the parties in the enquiry proceedings their statements were recorded, as the applications of both the petitioner and respondent No.5 were found meritless, as such, both the applications were ordered to be consigned. Moreover, during the enquiry of the application of respondent No.5 serious allegations were leveled by him against the petitioner of running of brothel by the petitioner in the disputed premises, but the same were found wrong during checking of the premises and accordingly application moved by the respondent No.5 against the petitioner was consigned. In the light of above mentioned facts, petitioner does not deserve any relief from this Hon'ble Court and above captioned petition deserves to be dismissed qua the answering respondents. ”

Since, the matter has already been enquired into by the police and it has been found that the civil litigation is going on between the parties, therefore, nothing survives in the present petition and the same has become infructuous.

Disposed of as having been rendered infructuous.

All pending application(s), if any, shall stand disposed of.

May 09, 2023
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(NAMIT KUMAR)
JUDGE

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