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2023:PHHC: 157603

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8022-2022
Date of Decision: 07.12.2023

GURJANT SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Sukhpreet Kaur Grewal, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR J. (ORAL)

1. Petitioner has approached this Court by way of filing the present petition under Section 482 Cr.P.C. directing respondent No .1 to get the petitioner examined from PGI, Chandigarh and to take necessary legal action against the official respondents, who have beaten the petitioners mercilessly, which might have resulted in a fracture on the hand of the petitioner.

2. This Court vide order dated 24.02.2022 issued notice of motion and status report of ADGP (Prisons) was sought. The status report pursuant to the aforementioned order was not filed. Thereafter, on 10.03.2022, this Court directed the Chief Judicial Magistrate, Kapurthala to visit the jail premises and to furnish a report with regard to the allegations levelled by the petitioner and also to ensure medical examination of the petitioner at the earliest.

3. Status report filed by the Chief Judicial Magistrate, Kapurthala indicates that the petitioner has clearly stated that he was not beaten up by

anyone nor any injury was caused by any of the official of the Central Jail, Kapurthala. As such, he does not want to get his medical examination done. Petitioner further made statement that he also does not want to initiate any action against the Jail Administration.

4. In view of the report submitted by the learned Chief Judicial Magistrate, Kapurthala, nothing survives in the present petition.

5. Further learned counsel for the petitioner refers to the status report dated 11.05.2022 filed by way of affidavit of Varinder Kumar Additional Director General of Police, Prisons, Punjab. Paragraph No. 5 of the status report indicates that the petitioner was locked up in ward A and his family got worried and after taking guidance of the lawyer, he filed present petition against the jail administration in this Court.

6. Learned counsel for the petitioner objects to the submissions made in para 5 of the status report. The fiduciary relationship between the client and his counsel is sacrosanct. The relevant part of the reply in para 5 indicating the mentioning of the lawyer is expunged. The present petition was filed on the basis of power of attorney of the petitioner duly endorsed by the jail authority.

7. Disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

07.12.2023
manoj

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No