

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

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**CRWP-2860-2021
Decided on : 18.01.2023**

Harjit Singh

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Raj Mohan Singh, Advocate for
Mr. Arpandeep Narula, Advocate
for the petitioner(s).

Mr. J.S. Arora, DAG, Punjab.

Mr. J.S. Grewal, Advocate for
Mr. M.S. Saini, Advocate
for respondents No.5 to 8.

SANJAY VASHISTH, J. (Oral)

Order dated 06.01.2023, says as under:-

“By way of present petition, petitioner – Harjit Singh, prayed for issuance of a writ in the nature of Mandamus, directing respondents No.1 to 3, to apprise this Court about the latest status of the complaints dated 29.02.2020 and 27.01.2021 (appended as Annexures P-1 & P-2, respectively). Petitioner also sought transfer of the investigation of the said complaints to an independent agency, apart from seeking protection to the life and liberty of the petitioner and his family members.

In response to the issuance of notice of motion by this Court on 22.04.2021, status report dated 13.02.2022, by way of affidavit of Surinder Pal, PPS, Assistant Commissioner of Police (East), on behalf of respondents No.1 to 3, has been filed, which is available on record.

Para No.4 of the said status report says as under:-

“4. That as the petitioner is residing within the Jurisdiction of Police Station Dehlon, Ludhiana, therefore the said complaint of the petitioner was sent to the SHO, P.S. Dehlon, Ludhiana for enquiry on which enquiry was initiated by ASI Bikramjit Singh of P.P. Merado (P.S. Dehlon), Ludhiana but from the allegations made in the complaint, it was revealed that the matter pertains to the jurisdiction of Police Station Division No.7, Ludhiana and therefore the said complaint of the petitioner was sent to the police of P.S. Division No.7, Ludhiana. Accordingly, enquiry on the said complaint of the petitioner Annexure P-1 was conducted by ASI Karnail Singh of P.P. Tajpur (P.S. Division No.7), Ludhiana. During the enquiry both the parties were joined in the enquiry and the allegations levelled by the petitioner in his said complaint were found to be false. Infact, the petitioner has alleged in his said complaint that he was abducted on 18.09.2018 whereas the petitioner moved the said complaint Annexure P-1 on 29.02.2020 i.e. about one and half years from the alleged date of occurrence. Apart from it, the petitioner could not give any other proof regarding the occurrence nor the petitioner has any MLR regarding the beatings caused to him. Finally it was revealed during the enquiry that in case FIR No.1 dated 01.01.2020, u/s 420, 465, 467, 468, 471, 451, 380, 447, 323, 511, 34, 120-B IPC, P.S. Dugri, Ludhiana, the brother of the petitioner namely Gurvir Singh is the main accused and is confined in Central Jail, Ludhiana and the private respondents no.5 to 8 are the co-accused in the said FIR with the petitioner's brother. However, as per version of the private respondents, the brother of the petitioner had fraudulently got their signatures on blank papers and thereafter misused those blank papers and therefore the said FIR has been registered against the private respondents too and the petitioner and his brother apprehend that the private respondents no.5 to 8 may compromise the matter with the complainant of the said FIR and in order to pressurize the private respondents not to compromise with the complainant of the said FIR, the petitioner has moved the said complaint. The above noted enquiry report of ASI Karnail Singh was further examined and verified by ASI Rajinder Singh, Incharge, P.P. Tajpur (P.S. Division No.7), Ludhiana and thereafter by the SHO, then by the answering deponent, then by the ADCP-4, Ludhiana and finally the same has been approved as well by the Commissioner of Police, Ludhiana. Thus, fair and impartial enquiry on the said complaint the petitioner has been conducted in the matter.”

Faced with this situation, counsel for the petitioner submits that he is not in a position to argue the matter, as the arguing counsel i.e. Mr. Arpandeep Narula, Advocate, is not available in Court today.

In the interest of justice, adjourned to 18.01.2023.”

Today, counsel appearing for arguing counsel of the petitioner, is unable to add anything to counter the reply submitted by the State, which is part of the order dated 06.01.2023.

Therefore, this Court does not find any substance in the present petition, same stands dismissed accordingly.

(SANJAY VASHISTH)
JUDGE

January 18, 2023

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*