

CRM-M-16343-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-16343-2022 (O&M)

Date of decision: 04.09.2023

Gurinder Singh Sood

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Petitioner in person.

Mr. Mohit Thakur, AAG Punjab.

ARUN MONGA, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. seeking issuance of direction to official respondent Nos. 7 to 11 to take appropriate legal action against respondent Nos. 2 to 6 and also seeking directions to respondent Nos. 7 to 11 to submit the police inquiry report of respondent Nos. 2 to 6, in the interest of justice. Further direction seeking protection of his life and liberty at the instance of respondent Nos.2 to 6, has also been sought.

2. Succinct facts first, as pleaded in the petition.

2.1. Petitioner is a practicing Advocate in Ludhiana and is also a permanent resident and inhabitant of Chaura Bazar, Ludhiana for the past more than 45 years.

2.2. Earlier, Chaura Bazar Market was thickly populated commercial area and remained in traffic jams, as there was no parking place of facilities in the above said area.

2.3. On consideration of the said problem, Government of Police constructed a place known as 'Pink Plaza Market' and the new premises of Police Station, Kotwali, Ludhiana, along with free parking area outside the police station for general public. As the said area is prime commercial area and as such the

opportunists and other influential persons kept their evil eye on the said parking problems and on their premises, respondent No.2 i.e., Inderjit Singh Pamma had illegally and unlawfully installed/established his *rehris*, tables, beds, heavy iron trunks/boxes etc. to stock their goods, which have been changed to pavement leading from Chaura Bazar to Police Station, Kotwali, Ludhiana.

2.4. Respondent No.2 in order to harass the customers/general public, used to puncture the vehicles, break the lights, tear the seat covers and also cause other damage to vehicles so that the said customer may not come there or part their vehicle in the said free parking zone. Since the victims were with families, the matter went unreported.

2.5. Petitioner moved various complaints/representations (Annexures P-4, P-5, P-7, P-9 and P-10) against respondents No.2 to 6 for threatening petitioner and his family members to withdraw all court cases against respondent No.2 before respondents No.7 to 11, but in vain. Hence the instant petition.

3. Per contra, learned State counsel submits that petitioner is not entitled to any relief from this Court as no further action is required to be taken upon the representation moved by petitioner as FIR has already been registered and investigation regarding the same is still going on. After completion of the same, final report under Section 173 (2) Cr.P.C. will be prepared accordingly.

4. Heard.

5. Petition is disposed of with a direction to Commissioner of Police, Ludhiana to look into the entire matter afresh and depute a police official not below the rank of Inspector who shall submit an action taken report before the *Illaq*a Magistrate.

6. Needless to say that if any action is warranted, further steps be taken in accordance with law.

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7. In case petitioner is aggrieved against the action taken report to be filed before the *Illaq*a Magistrate, he shall be at liberty to take judicial recourse in accordance with law.
8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

September 04, 2023
Ajay

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