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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18685-2023

Date of Decision: April 18, 2023

Mangal Sain

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Govind Chauhan, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for issuance of directions to official respondents not to harass the petitioner at the behest of private respondents who are pressuring the petitioner to withdraw case FIR No.201 dated 31.07.2022 under Sections 241, 342, 323 and 34 IPC and Sections 25 and 27 of the Arms Act, registered at Police Station City Malout, District Sri Muktsar Sahib, Punjab, without any justified reason.

Learned counsel for the petitioner submits that petitioner lodged the abovementioned FIR No.201, dated 31.07.2022 and in order to compel him to compromise the same, he is being harassed by the police official, i.e. respondent no.4.

Notice of motion to official respondents only.

On asking of the Court, Mr.Sandeep Kumar, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent/State and submits, on instructions from ASI Kulwant Singh that petitioner is a habitual

litigant and earlier also he had approached this Court by way of filing such frivolous petitions. He submits that investigation in above-mentioned FIR No.201 dated 31.07.2022 lodged by the petitioner had been completed and cancellation was presented before the concerned Illaqa Magistrate, however, the same was not accepted and sent for further investigation. He has submitted that again investigation has been completed and as per investigation, cancellation is recommended again and the same would be filed before the Court of competent jurisdiction within two weeks from today.

After hearing counsel for the parties and perusing the record, it is apparent that investigation in the FIR lodged by the petitioner is already completed, however as submitted by learned State counsel, cancellation recommended would be presented before the court of competent jurisdiction within two weeks from today. Let the State do so. The petitioners would have the right to be heard by the competent Court before taking a decision on the cancellation filed. It is further directed that the petitioner would be at liberty to file a fresh representation to respondent no.2 for redressal of his grievances if any, within ten days from today and in case he files an application within ten days from today, the same would be dealt with and decided by respondent no.2 expeditiously preferably within a period of one month from the date of its receipt.

Disposed of accordingly.

April 18, 2023
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(RAJESH BHARDWAJ)
JUDGE

- 1. Whether speaking/reasoned ?
- 2. Whether reportable ?

Yes/No
Yes/No