

2023:PHHC:159949

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

247

CRM-M-21759-2021

Date of Decision : **December 13, 2023**

RAKESH RAMPAL

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Karanbir Singh, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, prayer is made for issuance of directions upon the respondent concerned to stop the enquiry being conducted by respondent No.4 on a complaint of respondent No.5.
 2. Learned counsel for the petitioner submits that again and again enquiries were conducted at the behest of respondent No.5, and now again a fresh enquiry was ordered to initiate at the behest of respondent No.5.
 3. In response to the present petition, the learned State counsel has filed affidavit of Senior Superintendent of Police, District Batala.
- Para No.7 of the affidavit makes the following revelations:-

“That now representation in regard to which notice has been issued to the present petitioner, was submitted by Ramnish Kumar before the then Senior Superintendent of Police, Batala against Rakesh Rampal

and Varun Rampal, Therefore, the complainant in the present representation in which notice has been sent is a different person then Rajiv Mahindro whose previous two representations have been filed. It is pertinent to mention here that if any individuals submits the representation then it is the fundamental right of that individual to get an opportunity of being heard.

Thus as per the duty and in due course of law, notice was issued by the reader of the then Senior Superintendent of Police, Batala to both the parties to come present and give their statements.”

4. A perusal of the reply, would show that earlier enquiry was initiated at the behest of respondent No.5, whereas now a new complaint has been filed by the person, who has been arrayed as respondent No.7, which is required to be thoroughly enquired, for which the presence of the present petitioner is required.
5. In view of the above facts and circumstances, no further interference is called for.
6. The instant petition is, hereby, dismissed at this stage.

(KULDEEP TIWARI)
JUDGE

December 13, 2023
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No