

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

Sr. No.240**CRM-M-35505-2022****Date of decision: 25.05.2023****JUJHAR KAUR****.....Petitioner****versus****STATE OF PUNJAB AND OTHERS****.....Respondents****CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. D.S. Bhinder, Advocate and
Mr. S.S. Sekhon, Advocate for
Mr. Hasrat Brar, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Gagneshwar Walia, Advocate
for respondent Nos.4 and 5.

NAMIT KUMAR, J. (ORAL)

The instant petition has been filed by the petitioner under Section 482 of the Code of Criminal Procedure for issuance of directions to respondent Nos.2 and 3 to decide the representation dated 02.06.2020 (Annexure P-1), given by the petitioner against respondent Nos.4 to 7 and to take appropriate legal action on the same.

In pursuance of notice of motion, short reply by way of affidavit of Sh. Vivek Sheel Soni, IPS, Senior Superintendent of Police, District S.A.S. Nagar, has been filed on behalf of respondent Nos.1 to 3, wherein, it has been stated as under:-

“xxx xxx xxx xxx

III. That after conducting the enquiry, the then SP (City), District SAS Nagar had submitted his report dated 23/06/2022 with the findings that from the enquiry conducted, the dispute between the parties was found to be of civil nature as the same involved financial transactions regarding which, case No. NACT 764/20 was pending between both the parties before

the Ld. Court of CJJD/JMIC/SAS Nagar, which stands dismissed as withdrawn by the Ld. Court vide order 11.12.2021 on the basis of compromise. Accordingly, finding no action required on the said complaint, recommended to file the aforesaid complaints in the office of SSP, District SAS Nagar. consequently, the aforesaid complaint (Annexure P-1) of the petitioner was filed in the office.

IV. That the complaint (Annexure P-1) of the petitioner already stands filed and no further action is required in the present petition.

The true translated copy of the report of SP (City), District SAS Nagar dated 23.08.2022 is being attached herewith as Annexure R-1/T for the kind consideration of this Hon'ble Court.

6. That it is respectfully submitted that the representation (Annexure P-1) moved by the petitioner was duly looked into and finding the dispute to be of civil nature and no action required on the said complaint by the district police, the said complaint was filed in the office. It is submitted that since, the representation (Annexure P-1) of the petitioner was decided on 23-06-2022, prior to the filing of the present petition, therefore, no cause of action had arisen in favour of the petitioner to approach this Hon'ble Court by way of filing the present petition nor does any cause of action survives in favour of the petitioner.

xxx xxx xxx xxx”

In view of the stand taken by the official respondents, counsel for the petitioner wishes to withdraw the present petition with liberty to take other legal remedies in accordance with law.

Dismissed as withdrawn with aforesaid liberty.

(NAMIT KUMAR)
JUDGE

25.05.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No