

245

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

CRM-M-42114-2021 (O&M)

Date of Decision: 28.07.2023

Vishavjeet Pal

...Petitioner

Versus

State of Punjab and others

...Respondent

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab.

MAHABIR SINGH SINDHU.J.

Present petition has been filed under Section 482 of Code of Criminal Procedure for issuance of direction to respondent No.2 and 5 to conduct fair and impartial investigation on the basis of complaint made by the petitioner.

2. In response to notice of motion issued by this Court, reply by way of affidavit of Narinder Singh, Deputy Superintendent of Police, Bathinda Rural, Bathinda, has already been filed. Para 3 of the affidavit reads as under:-

“3. That in compliance with order dated 05.12.2022, the answering deponent submits that the petitioner had made complaint i.e. Annexure P-2 to the Senior Superintendent of Police, Bathinda to take action against respondent No.6 & 7 alleging that both have tampered record of Maisarkhana College of Education. The matter was inquired by Station House Officer, PS-Kotfatta, District Bathinda thoroughly and report No. 5C/19 dated 30.07.2019 was submitted to the Senior Superintendent of Police. The Inquiry Officer deciphered that the matter of annexure P-2 was of civil nature and as per documents submitted by the petitioner, the petitioner had filed case in the Ld. Labour Court, Bathinda for his claim. Consequently, the representation was disposed off vide Rapt No. 5C/19 dated 30.07.2019.”

3. Still further, perusal of the inquiry report dated 18.04.2022 (R-1), reveals that complaint was examined thoroughly by the Deputy Superintendent of Police, Bathinda Rural, but no substance was found. The concluding para of the report reads as under:-

“No any criminal liability is proved from my thorough inquiry qua marking absence or issuing notices to the complainant Vishvjeet Pal or issuing notice during less than 15 days or not making him salary of three months i.e. February, March and April 2016 or shacking him from job without adopting legal procedure. The complainant has filed case in the Court seeking said relief in this regard. The superintendent of Police (Investigation) has also made clear in his report 3/5C/Investigation dated 01.02.2022 that no criminal liability is made out and he had recommended to dispose off the complaint of Vishvjeet Pal. Thereafter Senior Superintendent of Police, Bathinda had disposed of the said complaint of Vishvjet Pal and the report was sent to the Director General of Police, Chandigarth. From inquiry conducted by me and Station House Officer, PS-Kotfatta, Bathinda, the levelled allegations by Vishvjeet Pal are not proved. Therefore, it is recommended to dispose off the complaint.”

4. In view of the above, this Court does not find any ground to interfere in the present petition.

5. Consequently, the petition is disposed off with liberty to the petitioner to take recourse as per law, if so desired.

28.07.2023
vs

(MAHABIR SINGH SINDHU)
JUDGE

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