

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43844-2023

Date of Decision: 02.09.2023

TARSEM KUMAR

...Petitioner

Vs.

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Sahil Puri, Advocate
for the petitioner.

SANJIV BERRY, J. (Oral)

The present petition under Section 482 Cr.P.C. has been preferred seeking directions to investigating agency to commence the investigation and lodge the FIR under Sections 420, 406, 506 and 120-B against respondent Nos. 5 and 6 at Police Station Sultanpur Lodhi, District Kapurthala and present the final report/challan in terms of Section 173 Cr.P.C.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner had moved the representation dated 11.08.2023 (Annexure P-4) before the Senior Superintendent of Police, Kapurthala, to take appropriate legal action against respondent Nos. 5 and 6 but till date no action thereon has been taken despite the fact that the petitioner is facing repeated threats from respondent No.5 to withdraw the criminal complaint pending in the Court of Sultanpur Lodhi, Kapurthala, hence, the present petition.

3. Notice of motion.

4. On the asking of the Court, Ms. Swati Batra, DAG, Punjab, who is present in Court accepts notice on behalf of the respondent/State.

5. Considering the facts and circumstances of the case, without commenting on the merits of the petition, the petition is hereby disposed of with the direction to respondent No.4/Senior Superintendent of Police, Kapurthala, to consider and decide the representation (Annexure P-4) expeditiously in accordance with law. The decision so taken be intimated to the petitioner as well.

6. It is, however, made clear that any observation made above shall not affect the merits of the case nor the same will influence the concerned authority in deciding the representation in accordance with law.

(SANJIV BERRY)
(JUDGE)

02.09.2023

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