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

**COCP-2913-2022 (O&M)
Date of decision: 05.01.2023**

Avtar Singh

... Petitioner

Vs.

Swarandeep Singh and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gautam Bhardwaj, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for initiation of contempt proceedings, as the respondent authorities are not following judgment of the Hon'ble Supreme Court in **Lalita Kumari Vs. Govt. of U.P. and others, 2013 (4) RCR (Crl.) 979.**

Learned counsel for the petitioner submits that wife of the petitioner has given a complaint to the police authorities, wherein the petitioner was called and his statement was recorded on 12.08.2022. Statements of some other witnesses were also recorded. Thereafter, the petitioner was appearing

before the Investigating Officer and made a representation that the investigation should be concluded within a period of 07 days, however, the same was delayed by DSP, Phillaur. Thereafter, the petitioner gave a representation to the senior police officers for transferring the investigation from DSP, Phillaur to any other senior officer. It is further submitted that again a representation was given to DSP, Phillaur on 07.10.2022, but no action has been taken. It is also submitted that the petitioner has also sought some information under Right to Information Act, which has not been supplied so far.

Learned counsel submits that the Chief Secretary has issued certain guidelines on 06.02.2014 that preliminary inquiry should be completed within a period of 07 days.

On a Court query, whether the petitioner has filed any petition either under Section 482 Cr.P.C. or under Section 226 of the Constitution of India seeking a direction to the respondent authorities to conclude the inquiry expeditiously, learned counsel submits that same is not required in terms of judgment of the Hon'ble Supreme Court in **Lalita Kumari's** case (supra).

After hearing learned counsel for the petitioner and going through the record, it is apparent that it is the petitioner himself, who has been seeking transfer of the investigation from one authority to another by filing repeated representations and is also moving applications for seeking certain information

and that is a good cause for causing delay in the investigation.

In the absence of any specific direction by this Court, present contempt petition is not maintainable.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

05.01.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No