

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11275-2024
DECIDED ON: 04.03.2024

ASHWANI KUMAR
.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Jasvir Singh Dhaliwal, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 482 Cr.P.C., for issuance of a direction to the respondents No.2 & 3 to conduct fair and impartial investigation in FIR No.303 dated 13.11.2023, under Sections 323, 324, 452, 506, 148, 149 of IPC, registered at Police Station Civil Lines, Batala, District Gurdaspur, Punjab (Annexure P-1).
2. Having perused the instant petition, the assertions raised in the instant petition do not warrant any interference at this stage by this Court, wherein a representation dated 12.02.2024 (Annexure P-4) addressed to the Senior Superintendent of Police, Batala, Punjab is still pending.
3. Without waiting of the outcome of said representation, the petitioner has acted in haste by invoking the jurisdiction of this Court under Section 482 Cr.P.C., which is though an inherent power, but also needs to be exercised with caution and abundant care not in a matter of routine in such like cases, as has been pleaded in the instant petition.

4. However, in the interest of justice, this Court directs Mr. Rajiv Verma, DAG Punjab to ensure that the complaint/representation dated 12.02.2024 (Annexure P-4) addressed to Senior Superintendent of Police, Batala, Punjab be considered and decided by passing a speaking order within a period of four weeks from receipt of certified copy of this order. A copy of order so passed by supplied to the petitioner within one week thereafter.

5. In view of the above, present petition stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

04.03.2024

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>