

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.13538 of 2024
Date of decision: 15th March, 2024

Sukhmandeep Singh Gill

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. PKS Phoolka, Advocates for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The prayer in the instant petition is for issuance of appropriate direction to the official respondents to conduct a free and fair investigation regarding the fraud and cheating committed by the private respondents, with a further prayer to direct the official respondents to look into the representation dated 28.03.2023 (Annexure P-1) made by the petitioner and to take legal action against the private respondents.

2. Learned counsel submits that vide representation (Annexure P-1), respondent No.2 – Senior Superintendent of Police, District Moga had been duly intimated about the fraud committed upon the petitioner at the hands of private respondents. However, the authorities concerned had failed to initiate any action against the offenders. Learned counsel contends that despite respondent No.2 having been apprised about the commission of cognizable offence by

the accused persons, the official respondents had failed to proceed against them under the provisions of law. It has been submitted that the official respondents were under a legal obligation to pass an appropriate order on his representation.

3. Notice of motion to the official respondents.

4. On the asking of the Court, Mr. Amit Rana, Sr. Dy. Advocate General, Punjab accepts notice on behalf of the said respondents.

5. In the wake of the limited prayer of the petitioner, the petition is disposed of and respondent No.2 i.e. Senior Superintendent of Police, District Moga is directed to look into his grievance and take appropriate steps, if any required, expeditiously preferably within next four weeks under the provisions of law. However, if respondent No.2 does not find the commission of any cognizable offence as alleged or any substance in the allegations levelled in the representation dated 28.03.2023 (Annexure P-1) then the petitioner shall be duly informed as per the parameters laid down by the Supreme Court in *Lalita Kumari v. Government of Uttar Pradesh & Ors.* 2013 (4) RCR (Criminal) 979.

(MANJARI NEHRU KAUL)
JUDGE

March 15, 2024
rps

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