

2024:PHHC:059557

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-3358-2024
Date of decision : 30.04.2024

Ramesh Behl and another Petitioners

versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Dinesh Mahajan, Advocate
for the petitioners.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed seeking issuance of appropriate writ in the nature of mandamus seeking direction to respondents No.2 to 4 to provide protection of life and liberty to the petitioners and not to harass them at the hands of respondents No.5 to 7.
2. Status report by way of affidavit of Azad Davinder Singh, PPS, Deputy Superintendent of Police, Sub Division City Batala, Police District Batala, District Batala has been filed on behalf of respondents No.1 to 3-State. The same is taken on record. Copy thereof has been supplied to counsel for the petitioner. Status report shows that conduct of none of the parties is above good and both are leaving no stone unturned to malign each other.
3. The relevant part of the status report reads as under:-

“xx xx xx

11. That so far as a complaint(s) received from

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the present petitioner-Ramesh Kumar Behl vis-a-vis respondent no.6-Mohinder Singh alias Rinku Raja are concerned, it is submitted that from the inquiry conducted, no substance was found in the complaints received from the present petitioners except to the extent that there was a minor scuffle between them and respondent no. 6 on 01.04.2024. Furthermore, the petitioners have neither produced any video clip nor audio recording as is referred to in their complaints, from which their allegations could be verified. However, petitioner no.2-Harpreet Singh on 27.04.2024 produced a photocopy of his MLR which revealed a simple blunt injury on his person that attracts offence under Section 323 IPC, which is non-cognizable in nature, for that reason no FIR could be registered in the present matter. As a matter of consequence, DDR No. 55 dated 27.04.2024 was recorded to that effect at PS City, Batala.

12. That in view of the aforesaid facts and circumstances, it is most humbly submitted that preventive action has already been taken in the present matter against the present petitioners vis-a-vis respondent no. 6 and DDR No. No. 55 dated 27.04.2024 (supra) has been recorded for the commission of an offence under Section 323 IPC against respondent no.6, no further action is warranted on the complaints received from present petitioners at this stage. Needless to say that if the petitioners would provide any fresh evidence in the form of audio recording or video recording to substantiate their allegations levelled, the consequent required legal action would follow in accordance with law.”

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4. In view thereof, this Court is satisfied that the State has taken due measures and no further order is warranted.
5. Resultantly, the present petition is dismissed.

(PANKAJ JAIN)
JUDGE

30.04.2024
Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No