



CRM-M-33284-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33284-2024 (O&M)

Date of Decision: July 16, 2024

Vikas Garg

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Dr.Rau P.S.Girwar, Advocate
for the petitioner.

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RAJESH BHARDWAJ, J.(ORAL)CRM-27740-2024

Application is allowed as prayed for.

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Petitioner has approached this Court under Section 528 of BNSS 2023 praying for issuance of directions to respondent No.2 to register the case against respondents No.5 and 6 on the basis of report, Annexure P-4, dated 25.11.2023 prepared by respondent No.3, which was submitted before the office of respondent No.2 on 25.11.2023 by respondent No.3 but respondent No.2 has illegally and in arbitrary manner rejected the recommendation of report to register the FIR.

Learned counsel for the petitioner has submitted that respondent No.2-Deputy Superintendent of Police had conducted the enquiry and directed for registering the FIR but despite that, no action has been taken on

the same by the respondents/Investigating Agency.

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Notice of motion to official respondents only at this stage.

On asking of the Court, Mr.Tarun Aggarwal, Sr.DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents/State and has submitted, on instructions from ASI Gurmeet Singh, that report was perused by the Senior Superintendent of Police, Bathinda, who was not in agreement with the same and decided to file the case.

In these circumstances, the petitioner has an alternative remedy of filing a petition before the Magistrate, which he can avail if desired. Hence, the present petition is disposed of with liberty to the petitioner to avail his remedy in accordance with law.

July 16, 2024

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- 1. Whether speaking/reasoned ?**
- 2. Whether reportable ?**

(RAJESH BHARDWAJ)**JUDGE****Yes/No
Yes/No**