



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-43727-2024

Date of decision: 09.09.2024

MUNISH KUMAR

....Petitioner

V/s

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashish Jhamba, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the instant petition filed under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 of the Constitution of India, is for issuance of directions to respondent No.2 to take appropriate action against the private respondents.

2. Learned counsel for the petitioner submits that despite the petitioner having repeatedly approached the official respondents with respect to his grievance including an application dated 23.07.2024 Annexure P-5 given against the private respondents, no steps have been initiated against the alleged accused.

3. After arguing for some time, learned counsel for the petitioner prays for issuance of directions as per the parameters laid down by Hon'ble the Supreme Court in *Lalita Kumari v. Government of Uttar Pradesh & Ors. : 2013 (4) RCR (Criminal) 979*. Learned counsel for the petitioner submits that despite the petitioner having approached the police for



initiating action against the private respondents, the authorities concerned had been sitting over the matter. In support, he has drawn the attention of this Court to Annexure P-5 which is an application moved by the petitioner. It has been submitted that the official respondents were under a legal obligation to pass an appropriate order on his application/representation.

5. Notice of motion.

6. On asking of the Court, Ms. Trishanjali Sharma, DAG, Haryana, accepts notice on behalf of the official respondents.

7. In the wake of the limited prayer of the petitioners, the instant petition is disposed of and respondent No.2-Superintendent of Police, Ambala is directed to look into the representation/application dated 23.07.2024 (Annexure P-5) and take appropriate steps, if any required, under the provisions of law. However, if respondent No.2 does not find any substance in the allegations levelled in the representation/application dated 23.07.2024 (Annexure P-5), then the petitioner shall be duly informed as per the parameters laid down by Hon'ble the Supreme Court in *Lalita Kumari v. Government of Uttar Pradesh & Ors. : 2013 (4) RCR (Criminal) 979*.

(MANJARI NEHRU KAUL)
JUDGE

September 09, 2024

poonam

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No