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CRM-M-48658-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.48658 of 2024 (O&M)
Date of Decision: 27.09.2024

Som Nath

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sandeep Arora, Advocate and
Mr. Abhijeet Partap, Advocate
for the petitioner.

Ms. Swati Batra, DAG, Punjab

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
83	25.04.2024	Division No.6, Jalandhar	25(6), 54, 59 of Arms Act and sections 21(C), 61, 85 of NDPS Act added later on.

Seeking directions to official respondents to conduct fair investigation in the FIR captioned above and to consider representation dated 17.08.2024 (Annexure P-4), petitioner, claiming to be an aggrieved person, has come up before this Court under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Counsel for the petitioner submits that he would be contended and satisfied if his representation (Annexure P-4) which is pending with the official respondent is decided in a time bound manner by passing a speaking order.
3. Notice served upon the official respondents through the State counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.
4. Let the Director General of Police decide the representation (Annexure P-4) within two months, either himself/ herself or by authorizing and delegating it to any officer

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holding IPS cadre. It is clarified that such order must be a reasoned order, and the same be communicated to the representationist(s) without delay.

5. Liberty reserved to the petitioner to file fresh petition or to take other legal remedies in accordance with the law.

6. It is clarified that there is no adjudication on merits. It is further clarified that this order shall not come in the way if the interrogation of the petitioner is required in any cognizable case. It is also clarified that this order shall not be construed as order of stay of arrest of the petitioner in any case.

7. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

27.09.2024

Sonia Puri

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No.