

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-9881-2014 (O&M)
Date of Decision:- 06.02.2024

Prof.Subash Sharma

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr.Salil Bali, Advocate
for the petitioner.
Mr.Abhinash Jain, DAG, Haryana.
Mr.Sandeep Khunger, Advocate for respondent No.5.

Kuldeep Tiwari, J. (Oral)

1 Through the instant petition, prayer is for issuance of direction upon respondents No.2 and 3, to investigate the matter as per the provisions of Cr.P.C. as well as in terms of the law laid down by the Supreme Court in “**Lalita Kumar Versus Government of U.P. and others**”.

2. Notice was issued to the respondent-State. Upon notice, affidavit of HPS, Superintendent of Police, Fatehabad was filed way back on dated 25.10.2018. In the said affidavit, the following averments were made which reads as under:-

“That after going through the enquiry report by the answering deponent it was found that the respondent no.5 had not paid the amount of arrear to Hanuman Singh, Amrik Singh and Mahesh Chand and respondent No.5 D.K.Koshik principal had fraudulently taken back the amount of their arrear after committing forgery with them. Therefore, the answering deponent agreeing with the finding report of Deputy Superintendent of Police, Fatehabad passed an order to register the case against respondent No.5 DK.Koshik Principal and recommended departmental action against Inspector Gaurav Sharma the then Station House Officer, Police Station, City Fatehabad who has shown gross negligence and indiscipline in his duty for non compliance of directions rendered in case of “**Lalita Kumar Versus Government of U.P. and others**” who did not take legal

action on the complaint submitted by petitioner Subash Sharma as well as on the complaints of Amrik Singh, Mahesh Chand and Hanuman Singh and the answering deponent in this regard has sent a letter vide memo No.468/ST/25.10.2018 to Superintendent of Police, Charkhi Dadri because Inspector Gaurav Sharma has been transferred from District Police Fatehabad to District Police Charkhi Dadri. Copy of letter dated 25.10.2018 is hereby attached as Annexure R-8.”

3. In view of the fact that appropriate action has already been taken on the complaint by the authority concerned, thereof, no further action is required. Consequently, the instant petition is dismissed, as having been rendered infructuous.

4. In case, the petitioner has still any grievance, he is granted liberty to approach the appropriate forum/court concerned for redressal of his grievance.

06.02.2024
sd

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned: Yes/No.
Whether reportable: Yes/No.