

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(111)

CRM-M-56212-2023
Date of Decision:-31.01.2024

Inderjit Singh
.....Petitioner

Versus

State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Nitin Sachdeva, Advocate for the petitioner.
Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. Learned State counsel has filed a short reply by way of affidavit of Mr. Mandeep Singh, PPS, Assistant Commissioner of Police (West) Ludhiana in compliance of the directions passed by this Hon'ble Court on 07.11.2023. The same is taken on record, subject to all just exceptions.
2. The present petition has been filed by the petitioner seeking directions to respondents No. 1 to 3 to register an FIR against the accused Parveen Kumar, who was declared a proclaimed offender vide order dated 20.02.2023 by the Court of learned Judicial Magistrate 1st Class, Ludhiana.
3. Subsequent thereto, the petitioner had been running from pillar to post for taking action as the accused Parveen Kumar was roaming freely in the society despite being declared as proclaimed person.
4. The lackadaisical attitude of the respondent authorities which comes forth is that the petitioner made a written complaint on 28.07.2023 (Annexure P-14) to the authorities and even thereafter no action was taken.

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Left with no other alternative, the petitioner who is an old age man of 61 years was forced to come to this Court for seeking directions to the official respondents to act in accordance with law and perform their duties.

5. Initially, the State counsel was granted time to complete his instructions on 07.11.2023 and even after grant of two opportunities since no reply was coming forth, a strict order had been passed on 19.12.2023 that, in case, the reply is not filed, the concerned official shall remain present in Court and be imposed with a cost of Rs. 10,000/-.

6. It is only thereafter, the respondents acted and just 07 days before the date of hearing, the accused Parveen Kumar was arrested. No explanation is forth coming for the non-performance of the duties of official respondents and the affidavit filed ostensibly is to just cover up the misdeeds of the concerned officers. Although, the Court is aware of the fact that the police officials and the police force are over burdened with their work but in the present case, where, a diligent complainant has been following up the matter, the reason for a non-responsive attitude of authorities is appalling.

7. Although, it is a fit case where an enquiry should be conducted against the concerned officials, who delayed the matter, however, since the accused has been arrested and the matter is progressing in accordance with law, the present petition stands disposed of with a word of caution to the authorities to conduct themselves in accordance with law.

(ALOK JAIN)
JUDGE

January 31, 2024
Parul