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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59098-2022
Date of Decision: 09.04.2024

SAHIL SHARMA

Vs.
STATE OF PUNJAB AND OTHERS

...Petitioner

...Respondents

CORAM:- HON'BLE MRS. JUSTICE NIDHI GUPTA

Present: None for the petitioner.

Mr. S. S. Chahal, AAG, Punjab.

NIDHI GUPTA, J. (Oral)

1.
- The present petition has been filed under Section 482 Cr.P.C. for directions to respondent Nos. 3 to 5 not to harass the petitioner or his family and not to call the petitioner or his family to the police station without giving him notice under section 161 CRPC and in case local police intends to investigate or interrogate the petitioner or his family in any registered/unregistered FIR, then in that case to give him a prior notice calling upon him to come to police station for any investigation/interrogation in accordance with law and for issuing directions to learned Chief Judicial Magistrate Gurdaspur to send the Criminal Complainant CNR No. PBGD03-003714-2022 filed by the wife of petitioner against respondent No.5 ASI Rajinder Singh under section 354- A,354-B, 354-C,323, 324 IPC, to the police station City Gurdaspur under section 156(3) CRPC for registration of FIR against respondent no.5 ASI Rajinder Singh.
2.
- Learned State counsel has filed the Status report dated

04.03.2024 by way of affidavit of Deputy Superintendent of Police, City, District Gurdaspur on behalf of respondent No.1, which is taken on record.

3. Learned State counsel points out in paragraph No.5 of the reply that during the enquiry conducted by the DSP/Hqrs./Gurdaspur, the allegations made by the wife of the petitioner were found to be false, which is reproduced as under:

5. During the enquiry of the DSP/Hqrs./Gurdaspur, the allegations leveled by the wife of the petitioner were found to be false. It is respectfully submitted that neither the petitioner nor her family members were called in the police station every day as alleged by the petitioner. Moreover the petitioner and her family members are not required in any manner since the complaint of the petitioner has been filed as the same was found to be false. It is also submitted that the wife of the petitioner had filed same complaint to the Hon'ble Punjab State Human Rights Commission, Chandigarh vide complaint No. 6147/6/2022-WC, which is pending in the Hon'ble Commission for 31.03.2023.

4. In view of the statement made by learned State counsel, no further directions are required to be given in the present matter.

5. Since there is no representation on behalf of the petitioner, the present petition is disposed of in view of the reply filed by the respondent/State. However, in case anything survives in the matter, the petitioner is at liberty to revive the same by filing appropriate application in this regard within 03 months, if so advised.

(NIDHI GUPTA)
(JUDGE)

09.04.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No