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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-63343-2024

Date of Decision: 18.12.2024

PRINCE

VS.

UT OF CHANDIGARH AND ORS

... PETITIONER

.. RESPONDENTS

CORAM:

HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:

Mr.Sylvester Stephen, Advocate, for the petitioner.

Mr. Ankur Bali, Additional P.P. for U.T. Chandigarh.

ANOOP CHITKARA , J.(ORAL)

- Seeking direction to the official respondents to conduct fair and impartial investigation from independent agency in the representation dated 26.10.2024 (Annexure P-8), the petitioner has come up before this Court by filing the present petition under Section 528 of BNSS, 2023.
2. Notices are served upon the official respondents through the State's counsel.
3. Counsel for the respondents raised objections that FIR has been registered in Telengana and this Court has no jurisdiction over the FIR registered in the State of Telengana.
4. At this stage, counsel for the petitioner submits that his grievance is not limited but it is extended to the humiliation and excessive use of power by the police officials which is insulting and affecting his liberty. He further submits that he would be contended and satisfied if representation dated 26.10.2024 (Annexure P-8) pending before the Senior Superintendent of Police, Chandigarh is decided in a time bound manner.
5. 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.
6. Let the representation dated 26.10.2024 (Annexure P-8) be decided by the Senior Superintendent of Police, Chandigarh, by 31.01.2025, either himself/herself or by authorizing and delegating it to any officer holding IPS cadre. It is clarified that such order must be a reasoned order, and the same be communicated to the representationist as well as his counsel without delay through e-mail and the petitioner's counsel would give his e-mail id to the State counsel today itself.
7. Liberty reserved to the petitioner to file fresh petition or to take other legal remedies in accordance with the law.
8. 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.
9. *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.*
10. **Petition is allowed with the aforesaid observation.** All pending applications, if any, stand disposed.

18.12.2024

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(ANOOP CHITKARA)

JUDGE

Whether speaking/reasoned

Whether Reportable

: Yes/No

: Yes/No