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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRWP No.117 of 2025 (O&M)
Date of Decision: 16.01.2025**

Naginder Gupta

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pushp Jain, Advocate
along with the petitioner in person (through V.C.).

Mr. Kunwarbir Singh, AAG, Punjab for respondent Nos.1 to 4.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Article 226 of the Constitution, *inter alia*, for issuance of a writ in the nature of mandamus directing respondent Nos.2 to 5 to protect the life and liberty of the petitioner at the hands of respondent Nos.6 to 8 and also for taking legal action on the basis of representation dated 01.02.2024 (P-4).

(2) In response to the order dated 09.01.2025, short reply by way of an affidavit dated 15.01.2025 of Sh. Dev Dutt Sharma, DSP, Sub Division City, District Hoshiarpur has been filed. The same is taken on record. Copy

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thereof supplied to the opposite side. Registry to tag the affidavit at appropriate place.

(3) For reference, para Nos.2 to 8 of the aforesaid affidavit reads as under:-

- “2. That it is submitted that the petitioner submitted an application bearing No.869-PD dated 09.02.2024 to the police authorities against the respondent No.5, 7 and 8 with regard to obtaining ransom of an amount of Rs.10 Lacs, demanding more ransom of Rs.10 lacs and giving threats to kill and getting kidnapped.
3. That it is submitted that the aforesaid application was marked for inquiry to DSP (Detective), Hoshiarpur. On this, the DSP (Detective), Hoshiarpur conducted inquiry into the matter and found that the petitioner had family relations with the respondent No.5 and 7 and there was money transaction between the petitioner and respondent No.5, 7 and 8 and as such, the matter in question is a money transaction between the complainant and respondent No.5, 7 and 8 and as such the matter does not call police interference. Hence, the petitioner instructed to pursue the matter before the Hon'ble Court and as such the application does not require any police interference. Consequently, the DSP Detective Hoshiarpur recommended to file the aforesaid application and sent the application to SSP, Hoshiarpur for further action. On this, the SSP, Hoshiarpur considered the finding of the inquiry report and seen and filed the aforesaid application.
4. That it is submitted that in addition to above said application, the petitioner submitted another application bearing No.364-BOI dated 15.05.2024 to the police authorities against the respondent No.5, 7 and 8 with regard to obtaining ransom of an amount Rs.10 Lacs, demanding more ransom of Rs.10 lacs and giving threats to kill and getting kidnapped.
5. That it is submitted that the aforesaid application was marked for inquiry to DSP (Detective), Hoshiarpur.

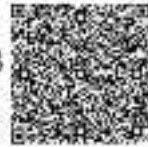
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On this, the DSP 2025 (Detective), Hoshiarpur conducted inquiry into the matter and found that the application No.869-PD dated 09.02.2024 submitted by the petitioner has similar facts to the present application and the said application No.869-PD dated 09.02.2024 had already been inquired into by the DSP Detective, Hoshiarpur and the report with regard to the above said application bearing No.869-PD dated 09.02.2024 had already been submitted to the SSP, Hoshiarpur and SSP, Hoshiarpur had seen and filed the inquiry report of application No.869-PD dated 09.02.2024. Hence, the DSP Detective Hoshiarpur recommended to file the aforesaid application No.364-BOI dated 15.05.2024. Consequently the SSP, Hoshiarpur seen and filed the aforesaid application No.364-BOI dated 15.05.2024.

6. *That it is submitted that in addition to above said application, the petitioner submitted another application bearing No.889-BOI dated 30.11.2024 to the police authorities against the respondent No.5, 7 and 8 with regard to obtaining ransom of an amount Rs.10 Lacs, demanding more ransom of Rs.10 lacs and giving threats to kill and getting kidnapped.*
7. *That it is submitted that the aforesaid application was marked for inquiry to the deponent. On this, the deponent conducted inquiry into the matter and found that the application No.364- BOI dated 15.05.2024 submitted by the petitioner has similar 2025 facts to the present application and the said application No. 364- BOI dated 15.05.2024 had already been inquired into by the DSP Detective, Hoshiarpur and the report with regard to the above said application bearing No. 364-BOI dated 15.05.2024 had already been submitted to the SSP, Hoshiarpur and SSP, Hoshiarpur had seen and filed the inquiry report of application No. 364-BOI dated 15.05.2024. Hence, the deponent observed that it is improper to keep pending the present application without any reason and recommended to file the aforesaid application No.889-BOI dated 30.11.2024. Consequently the SSP, Hoshiarpur seen and filed the aforesaid application No. 889-BOI dated 30.11.2024.*
8. *That it is submitted that the petitioner submitted applications No.869-PD dated 09.02.2024, 364-BOI dated 15.05.2024 and 889-BOI dated 30.11.2024 to the police authorities. The aforesaid applications*

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No.869-PD dated 09.02.2024, 364-BOI dated 15.05.2024 were inquired into by DSP (Detective), Hoshiarpur and application No.889-BOI dated 30.11.2024 was inquired into by the deponent and it was found that the petitioner had family relations with the respondent No.5 and 7 and there was money transaction between the petitioner and respondent No.5, 7 and 8 and as such, the matter in question is a money transaction between the petitioner/ complainant and respondent No.5, 7 and 8 and as such the matter does not call police interference and the petitioner was instructed to approach the competent court of law to pursue the matter and after considering the inquiry reports of aforesaid applications, the SSP, Hoshiarpur seen and filed the aforesaid applications. Therefore, the present petition is liable to be dismissed.”

(4) A bare perusal of the above extract reveals that three complaints, made by the petitioner, have already been inquired into by the police, but no substance was found therein.

(5) In view of the above, this Court is not inclined to entertain the present petition.

(6) Consequently, the same is dismissed.

(7) It is clarified that in case an occasion so arises, petitioner would be at liberty to take recourse to the remedy available under law and this order be not construed as bar to that effect.

Pending application(s), if any, shall also stand disposed off.

16th January, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No