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

CRM-M-2399-2025 (O&M)

Date of decision: 04.03.2025

Sanjeev Bansal

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

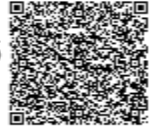
Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking setting aside the inquiry report dated 11.12.2024 (Annexure P-4) conducted by the Superintendent of Police (3), Ludhiana, declaring respondent No.5 as innocent, in FIR No.45 dated 24.06.2024 under Sections 420 & 120-B of the Indian Penal Code, 1860 and Section 82 of Registration Act, 1908, registered at Police Station Ladhuwal, District Police Commissionerate Ludhiana (Annexure P-1).
2. Learned counsel for the petitioner, *inter alia*, contends that on the

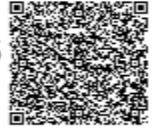
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basis of detailed inquiry conducted by the Deputy Commissioner of Police, Zone-3, Ludhiana, FIR (*supra*) was registered and thereafter, the accused was not successful even in obtaining the anticipatory bail and after nine months of registration of FIR (*supra*), the same officer declared respondent No.5 as innocent in a cursory manner and the impugned action of respondent No.3- Additional Deputy Commissioner of Police, Zone-3, Ludhiana, is violative of the judgment passed by this Court in ***Jaswinder Singh Vs. State of Punjab, CRM-M-18244-2008*** as well as the notification/instructions issued by the Director General of Police, Punjab (Annexure P-5).

3. Learned State counsel refers to the status report filed on behalf of respondents No.1 to 4 on 18.02.2025 before this Court and submits that perusal thereof clearly indicates that FIR (*supra*) was registered on the basis of inquiry conducted by Additional Deputy Commissioner of Police, Zone-3, Ludhiana, who recommended registration of FIR against Manohar Singh @ Billoo, Baljit Kaur and Harjinder Kaur @ Jassi. Further, it has been clearly mentioned in the status report that role of respondent No.5 shall be ascertained during investigation of the FIR after its registration. He further submits that after registration of FIR (*supra*), SHO of the concerned police station nominated respondent No.5 as accused. Thereafter, respondent No.5 made a representation on 04.11.2024 to the Commissioner of Police, Ludhiana on the ground that he has been falsely implicated and on the basis of said representation, an inquiry was marked to Additional Deputy Commissioner of

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Police, Zone-3, Ludhiana, who, after thoroughly examining the veracity of the allegations made by the petitioner, came to the conclusion that there is no evidence available on record to indicate complicity of respondent No.5 in this case and recommended to exonerate him and also made recommendation to enhance the offence under Section 419 of IPC in the FIR (*supra*). Learned State counsel further submits that it is not a case of multiple inquiries and the present case is not covered by the ratio of law laid down in ***Jaswinder Singh***'s case (*supra*), relied upon by learned counsel for the petitioner.

4. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, this Court finds no force in the arguments advanced by learned counsel for the petitioner.

5. Keeping in view the facts and circumstances of the case, without commenting anything further on veracity of the claims made by the parties, lest it may prejudice case of either of the parties, present petition is dismissed.

6. However, the petitioner would be at liberty to invoke the alternative remedy, as available to him, in accordance with law.

04.03.2025
vishnu

[**HARPREET SINGH BRAR**]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/