



CWP-1421-2024

1

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

(250)

CWP-1421-2024

Date of Decision : 29.04.2025

Jiwan Parkash Singla

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Himmat Singh Sidhu, Advocate
for the petitioners.

Mr. Karunesh Kaushal, AAG, Punjab
for respondents No.1 to 4.

None for respondent No.5.

Mr. Sidharth Grover, Advocate for
Mr. S. S. Narula, Advocate
for respondent No.6.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant writ petition, cast under Articles 226/227 of the Constitution of India, a prayer is made for issuance of a direction, upon the official respondents, to not to harass the petitioner, in a complaint, which is pending since the year 2018, and to summon the record of the complaint preferred by respondent No.5, against the petitioner. Further prayer is made to initiate the proceedings under Section 182 of the IPC, 1860, against the respondent No.5, for filing false and frivolous complaint against the petitioner.

2. Upon notice of the instant petition, learned counsel for the State, on instructions imparted to him by ASI Sanjiv Kumar, Vigilance Bureau, Patiala, informs this Court, that the complaint preferred by the respondent



No.5, against the present petitioner, after conducting enquiry, was ordered to be filed. He further submits that even the recommendations for initiating the proceedings, under Section 182 of the IPC, 1860, against the respondent No.5, has been made.

3. In view of the above, the prayer made in the instant writ petition has rendered infructuous, as the grievance of the petitioner has already been redressed.

4. At this stage, learned senior counsel for the petitioner submits that official respondents be directed, to forthwith supply the copy of the complaint, enquiry report and the copy of the recommendations, vide which the proceedings under Section 182 of the IPC, was initiated against the respondent No.5, to the petitioner, within a stipulated period.

5. The prayer made by the learned senior counsel is *bona fide* and innocuous, and therefore, a mandamus is passed upon the respondents No.4 and 5, to supply the copies (supra), as prayed for, within a period of 30 days, from the date of receipt of certified copy of this order, to the petitioner.

6. Further prayer is also made by the learned senior counsel for the petitioner, for taking action against the respondent No.6, as the respondent No.6, in connivance with respondent No.5, has initiated the complaint proceedings.

7. This Court does not find any material/evidence on record, through which the petitioner could substantiate the allegations, as levelled against the respondent No.6. In the absence of any substantial material/evidence, this Court, cannot direct to take action and initiate roving and fishing enquiry, against the respondent No.6. Therefore, the prayer (supra), is hereby, declined.



CWP-1421-2024

8. However, the petitioner is at liberty to avail all other alternate remedies, as may be available to him, in this regard, in accordance with law, where, the petitioner, by leading cogent evidence, can prove the allegations, as levelled against the respondent No.6.

9. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

April 29, 2025
Manpreet

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