



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

CRM-M-5778-2025

DATE OF DECISION: 05.02.2025

HARPAL SINGH AND ANOTHER

...PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. O.S. Batalavi, Advocate with
Mr. Daman Batalavi, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed under Section 528 BNSS for issuance of directions to the official respondents no. 2, 3 and 5 to initiate an appropriate action by registering FIR against the private respondents no.6, 7 and other officials who by conniving with each other have committed embezzlement and financial irregularities of panchayat funds/public money which is also crystal clear from as per compliance report dated 11.11.2024 (Annexure P-2) filed by respondent no.4 before this Court.

Counsel for the petitioner would refer to the order dated 11.10.2023 passed by this Court in CWP-22980-2023 whereby the same was disposed of with a direction to the Director, Department of

Rural Development and Panchayat, Punjab to decide the representation dated 25.08.2023 filed by the petitioner within a period of two weeks.

Subsequently, on failure of the department to comply with the aforesaid direction, the contempt petition bearing No. COCP-3993-2023 was preferred wherein compliance report was submitted before this Court concluding that action under Section 216 of the Punjab Panchayati Raj Act, 1994 be taken to compensate the financial irregularity which has come to light, meaning thereby, there was irregularity and misappropriation of the funds of the gram panchayat.

Learned counsel for the petitioner submits that he has already moved representations to SSP, Gurdaspur and to the Director General of Police, Punjab dated 16.12.2024 and 19.12.2024 respectively (Annexures P-4 and P-5) but the authorities have not taken any action so far which compels the petitioner to file the instant petition.

Counsel for the State ensures that necessary action would be taken after adjudicating the aforesaid representations.

On the assurance of the counsel for the State, counsel for the petitioner does not wish to press this petition at this stage, hence seeks withdrawal of the same.

It is however made clear that the representations Annexures P-4 and P-5 shall be decided, after conducting the enquiry by an officer not below the rank of Deputy Superintendent of Police, by passing a speaking order in accordance with law within a period of

two weeks from the date of receipt of certified copy of this order, after providing an opportunity of hearing to the petitioner.

A copy of order so passed be supplied to the petitioner within one week thereafter.

Petition stands disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

05.02.2025
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>