



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

CRM-M-42013-2021 (O&M)

Date of decision: 21.01.2025

GIAN CHAND RATTAN

...PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Mr. Yuvraj Singh Tiwana, AAG, Punjab.

NAMIT KUMAR ,J. (ORAL)

1. Petitioner was not present on two consecutive dates of hearing i.e. 24.08.2023 and 30.11.2023 and even today also the position is the same.
2. Instant petition has been filed under Section 482 Cr.P.C for issuance of direction to respondents No. 2 to 4 for registration of FIR under Section 307 read with Sections 511, 452, 500, 506, 323, 354, 341, 342, 427, 505 (I)B/148 of IPC read with Section 149 IPC under the provisions of Section 154-A Cr.P.C against the accused persons.
3. Short reply by way of affidavit of Tarlochan Singh, PPS, Deputy Superintendent of Police, Balachaur Sub Division, District Shaheed Bahgat Singh Nagar filed on behalf of the respondent-State wherein in Para No.6, it has been stated as under:-

“ That thereafter, on 07.01.2022 the petitioner again moved similar complaint bearing No.56-PTM to the respondent No. 4 with the request to take action against the aforesaid persons. On this the respondent No.4 marked to respondent No.2 who investigated into the matter, issued notice to the petitioner and called him to record his statement as well as produce evidence and eyewitness in the case. On this the petitioner through his handwritten message informed the



investigation officer that he alongwith all evidence will appear before him on 14.02.2022. Thereafter the petitioner on 14.02.2022 came to the Investigation Officer and produced a letter to him stating registration of FIR against the aforesaid persons but he could not present any supportive evidence, medical record or eyewitness of the incident. On this the Investigation Officer investigated the matter, recorded the statements of the accused, visited the place of incident and observed that no alleged incident was ever took place. The investigation officer further observed that the said Baby against whom the petitioner has personal grudge as earlier she made a complaint against petitioner alleging assault and abuse, thus, the petitioner with the intention to take revenge started moving false complaints as well cases against her while she is orphan lady to whom the panchayat has given shelter to live there in village. The petitioner having evil eyes on her as well as on her house is moving false complaints against her and others who are protecting/helping the said Baby with the intention to grab her house. On this the Investigation Officer conclude that neither on 05.07.2021 nor on 15.07.2021 took place as alleged by the petitioner. It is further mentioned here that the Gram Panchayat as well as residents of the village also orally complained against the petitioner stating his illegal acts that how he by taking advantage of his being retired public prosecutor harassing and threatening the village residents to rope them in false cases. Since the petitioner made false complaints without any supportive evidence against the aforesaid innocent persons with the intention to grab their property which did not disclosed any commission of offence thus, the Investigation Officer recommended to file the complaint moved by the petitioner. It is also mentioned here that the petitioner and his wife Satya has also filed a complaint under Section 156(3) Cr.P.C. as well other private and civil cases against the aforesaid persons with the Ld. Sub Division Judicial Magistrate, Balachour which are pending adjudication.

4. Since, the complaint of the petitioner has already been looked into by the competent authority and the matter has been investigated but, however, the petitioner has not presented any supportive evidence like medical evidence or



eye-witnesses of the incident and the investigation officer recorded the statement of the accused, visited the place of incident and observed that no alleged incident has ever took place. It has also been stated that the petitioner and his wife Satya Devi have also filed a complaint under Section 156 (3) Cr.P.C as well other private and civil cases against the aforesaid persons before the learned Sub Division, Judicial Magistrate, Balachaur, which are pending adjudication.

5. In view of the stand taken in the short reply filed on behalf of the respondent-State, no further orders are necessitated in the present petition.

6. Petition stands disposed of accordingly.

21.01.2025

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(NAMIT KUMAR)
JUDGE

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