



-1-

224

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

CWP-22136-2021

Date of decision:-05.08.2025

Kamlesh

...Petitioner

Versus

State of Haryana and others

...Respondent

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr. Chirag Kundu, Advocate for
Mr. R.S. Chahal Advocate
for the petitioner.

Mr. Deepak Vashisth, DAG, Haryana
for respondents No.1 to 4.

Mr. Sandeep Goyat, Advocate
for respondent No.5.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed, inter alia, for issuance of a writ in the nature of mandamus directing official respondents No.1 to 3 to hold a fair and impartial inquiry into the allegation of harassment and illegal detention of the petitioner by respondent No.5.

2. Counsel for the petitioner submits that petitioner extended a loan of Rs.3,00,000/- to Rajni, a neighbour on 19.07.2018. Vide



-2-

224

writing Annexures P1 and P3, Rajni acknowledged the loan and agreed to repay the amount with monthly interest. Another loan of Rs.2 lakh was extended to her on 20.02.2021 and despite repeated assurances, she did not return the money and absconded from the locality during the night intervening 15/16.08.2021. Petitioner claims that in the meanwhile, she had also taken a loan of Rs.1,50,000/- from a private finance company on 31.07.2018. Counsel submits that the petitioner gave a complaint to the police and came to know that Rajni and her husband Manohar Lal were facing similar complaints, Annexures P4 and P5 filed by a number of other persons. Counsel asserts that Manohar Lal was apprehended on 26.09.2021 and produced before respondent No.5, but he did not take action against the accused. Counsel submits that petitioner was detained in the police station on 27.08.2021 and when she did not return home, her relatives came to the police station and got her released. According to him, this incident was brought to the notice of senior police officials. However, in order to save himself, respondent No.5 implicated the petitioner as an accused in FIR, Annexure P7, lodged at the instance of Manohar Lal under Sections 323, 34, 342, 506 IPC at Police Station Camp, Palwal on 27.09.2021. Counsel submits that Manohar Lal gave a post - dated cheque of Rs.5 lakhs to the petitioner in refund of the amount advanced to his wife. Counsel asserts that as petitioner was illegally detained, she submitted complaints, Annexure P9 and P10, which are not being inquired into.



-3-

224

3. Upon notice, official respondents No.1 to 4 and private respondent No.5 have filed separate written statements contesting the petition. In their response, official respondents No.1 to 4 have stated that the allegations levelled by petitioner have been inquired into by Sh. Yashpal, HPS, DSP City Palwal in an impartial manner, who recorded the statements of relatives of the petitioner. It was found that there was no truth in the allegations levelled by the petitioner. Reference has been made to the inquiry report, Annexure R1. It was found that the petitioner had lodged a complaint against Manohar Lal and his wife Rajni due to a monetary dispute, but as the dispute was purely of a civil nature, no action was taken. It has been further stated that FIR, Annexure P7 was registered against the petitioner, who was arrested on 27.09.2001 and kept under surveillance of a lady Inspector. In his separate written statement, respondent No.5 has denied all the allegations.

4. Having heard counsel for the parties, this Court does not find any substance in the petition. The allegations levelled by petitioner have been duly inquired into by a senior rank police official, who has conducted an inquiry and it has been specifically found that respondent No.5 was not at the police station on the day petitioner is alleged to have been detained. The official came to the conclusion that false allegations have been levelled against respondent No.5 by the petitioner, who has been named as an accused in a criminal case registered against her. This



-4-

224

Court is satisfied that the inquiry has been conducted into the allegations in a fair and unbaised manner.

5. There is no merit in the petition, which is dismissed.

05.08.2025.

Brij

(SUVIR SEHGAL)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No