



CWP-30291 of 2018 (O&M) and

CWP-31012 of 2018 (O&M) 1

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

102/2

**CWP-30291 of 2018 (O&M)
Date of Decision:.08.01.2025**

Surinder Kaur and another

....Petitioner(s)

Versus

Addl. Chief Secretary and others

.....Respondent(s)

2)

CWP-31012 of 2018 (O&M)

Kuldeep Kaur and others

....Petitioner(s)

Versus

Addl. Chief Secretary and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Saurabh Singla, Advocate, for
Mr. Vaneet Sharma, Advocate,
for the petitioners in CWP-30291 of 2018.

Mr. Kamal Grover, Advocate,
for the petitioners in CWP-31012 of 2018.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Both these petitions are amenable to decide together as common relief has been sought in the instant petitions.



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2. For the sake of brevity, the facts are taken from CWP No.30291 of 2018.

3. Both these petitions cast under Articles 226/227 of the Constitution of India for issuance of mandamus upon the official respondents to take legal action against respondents No. 4 and 5 for extorting money and also further demanding bribe from the petitioners and there is also an attempt to attack at the house of the petitioners.

4. The co-ordinate Bench of this Court, vide order dated 18.12.2018 passed the following order:-

“Petitioners allege that respondent No.5, who is posted in the CIA staff in the area where petitioners are running the coaching centre demanded bribe of Rs.2 lacs from the petitioners. On the last date of hearing, this court had directed State counsel to produce service record of respondent No.5. Same has been produced. On perusal thereof shows that concerned police official has faced criminal cases and departmental proceedings. He did not depose in favour of prosecution in a case under the NDPS Act. As a result, proceedings were initiated against him. Photocopy of the service record has been taken on record.

From the facts and circumstances of the case, it appears that punitive action needs to be initiated against respondent No.5. However, learned State counsel prays for one opportunity to seek instructions and file affidavit. Three weeks time is granted. Meanwhile, Senior Superintendent of Police, Ropar shall ensure that respondent No.5 is not given any sensitive posting where he is able to indulge in such activities as



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aforesaid. This court shall consider whether matter needs to be handed over to Vigilance Bureau, Punjab.

To come up on 17.1.2019.”

5. In pursuance of directions supra, detailed reply was filed, as per the reply, the petitioners had made no complaint whatsoever to the office of the Director General of Police, Punjab as alleged in the instant petition whereas in compliance to the directions supra, respondent No. 5, who was posted in CIA Staff, Rupnagar from 12.02.2018 to 23.12.2018, was transferred to the Police Line, Rupnagar vide office order dated 24.12.2018. A perusal of the reply further reflects that though one FIR was registered against respondent No.5 and in that he already earned acquittal way back in the year 1993. The departmental enquiry has already been initiated against respondent No.5. It is also reflect from the perusal of the FIR that FIR No. 233 dated 17.11.2018, under Sections 379, 420, 465, 473, 120-B IPC was found to be registered at Police Station City Rupnagar against petitioner No.2 namely Devinder Singh @ Gurpeet Singh @ Gopi by ASI Pardeep Kumar wherein petitioner No. 2 was wanted by the police, and efforts were made to arrest him. The reply supra reflects that the Superintendent of Police, Headquarter, Rupnagar has concluded his enquiry and the reply has been submitted on 10.01.2019 according to which, a detailed further enquiry is warranted. Since respondent No.5 has already been transferred out, and an apt action has already been taken by the competent authorities, therefore at



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this stage, this Court is of the considered view that there is no threat perception to the present petitioners as on date. So far as the other issues regarding taking action against respondent No.5 is warranted, the petitioners are at liberty to file apt complaint before the learned Illaqa Magistrate concerned, therefore, no further directions are required to be passed in the instant matters.

- 6. In view of the above, both the petitions are **disposed of** accordingly.
- 7. A copy of this order be placed on the other connected case file.
- 8. All pending application(s), if any, stand disposed of accordingly.

(KULDEEP TIWARI)
JUDGE

January 08, 2025
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No