



CWP-28814-2024 (O&M)

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

(311)

CWP-28814-2024 (O&M)

Date of Decision : 07.01.2025

Gursher Singh Sandhu

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. J.S. Mehndiratta, Advocate
for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, cast under Articles 226 and 227 of the Constitution of India, a prayer is made for issuance of a writ in the nature of certiorari, seeking quashing of inquiry report submitted by Superintendent of Police (Inv.), Rupnagar, being in contravention of the ratio of judgments passed by this Court, and all consequential proceedings arising therefrom, including FIR No.33 dated 15.10.2024, under Sections 419, 465, 467, 468 and 471 of IPC, 1860, and Sections 13(2) of the Prevention of Corruption Act, 1988 (as amended by Amendment Act of 2018), at Police Station Punjab State Crime Police Station, SAS Nagar, Punjab.

2. In the instance case, FIR has already been registered, and now through the instant petition, challenge has been made to the inquiry conducted prior to the registration of the FIR, as well as the consequential proceedings i.e. the FIR, for which the petitioner ought to have file the petition under

Section 482 of Cr.P.C. Therefore, the instant petition is a misconceived motion.

3. Accordingly, the instant petition is **dismissed**. However, liberty is extended to the petitioner, to re-access this Court, on the same cause of action, by filing the appropriate motion under Section 482 of Cr.P.C.
4. Pending applications, if any, stand disposed of accordingly.

(KULDEEP TIWARI)

JUDGE

January 07, 2025

Manpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No