



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

148

LPA-1576-2026 (O&M)
Date of Decision:- 29.05.2026

Lali and another

... Appellants

Versus

State of Punjab and others

... Respondents

CORAM: **HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present:- Mr. Tapish Kumar Gupta, Advocate for the appellants.

HARSIMRAN SINGH SETHI, J. (Oral)

1. The present appeal has been filed against the order dated 22.04.2026 passed by the learned Single Judge in CWP-12056-2026 by which the prayer made by the appellants that an inquiry should be conducted qua the illegal, unlawful torture while in custody, has been dismissed.
2. Learned counsel for the appellants submitted that though, the mother of appellant No.1 had also approached this Court by way of filing CRM-M-5337-2026, but the same was withdrawn with liberty to avail the appropriate remedy and the present writ petition was dismissed on the ground that said information that an application for redressal of said grievance had already been filed was withheld, from the Court.
3. Learned counsel for the appellants submitted that though appellant No.1 is living alongwith his mother, but both of them have an independent right to



agitate their own claim and even if the mother of appellant No.1 had withdrawn the said plea raised, the same was not liable to be disclosed as the same was not relevant for the purpose of the claim raised by the appellants before the learned Single Judge.

4. We have heard learned counsel for the appellants and have carefully gone through the record.
5. It may be noticed that the appellants are facing FIR No.17 dated 21.01.2026 under Sections 115(2), 126(2), 191(3), 190, 132, 74, 221 of BNS registered at Police Station Payal, District Ludhiana. The allegation raised by the appellants herein is that there was illegal and unlawful torture while in custody, which should be looked into by the Head of the Police by initiating a departmental inquiry.
6. On being asked to show even a slightest strand of evidence showing alleged unlawful torture while in custody, learned counsel for the appellants submits that it was at the time of arrest that the appellants were tortured. Again, learned counsel was requested to show any such evidence to support the said allegation. Learned counsel for the appellants submits that the same is a matter of investigation.
7. Keeping in view the fact that in the present case, though the allegation of unlawful torture while being in custody has been made but devoid of any evidence being brought forward, direction to investigate upon same that too by initiating a departmental enquiry cannot be given to authority concerned. Even otherwise, in case there is enough evidence with the appellants showing they have been subjected to torture, nothing stops to avail appropriate remedy as available under law by filing a criminal complaint against the police



LPA-1576-2026 (O&M) (3)

officials before the competent Court of law, who had allegedly tortured the appellants.

- 8. Keeping in view the totality of the circumstances, no ground is made out for any interference by this Court.
- 9. The instant appeal, as such, is dismissed.
- 10. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

29.05.2026
Pankaj

(DEEPAK MANCHANDA)
JUDGE

Whether speaking /reasoned	Yes
Whether Reportable	No