



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

114

CRM-M-7236-2025

Date of decision: February 7th, 2025

Tara Chand

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Hardial Singh Baath, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

Petitioner is seeking issuance of directions to the official respondents to conduct fair, proper and expeditious investigation in FIR No.120 dated 26.12.2024 under Sections 125, 49 of the BNS, 2023 and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Chamkaur Sahib.

2. The learned counsel for the petitioner has contended, that respondent No.4, an active member of the ruling party, has consistently harassed and targeted the petitioner, who is General Secretary of a rival political party, due to political animosity. It is alleged that respondent No.4 fired shots from a 12 bore rifle during his birthday celebration and subsequently posted a video of the incident on social media, wherein he was clearly identifiable. The learned counsel further submits that the petitioner lodged a complaint before the authorities, seeking action against respondent No.4 and also requesting for protection of his life. However, no action was taken in response to the petitioner's grievance.

3. Drawing the attention of this Court to the FIR annexed as Annexure P-1, the learned counsel for the petitioner further submits that the said FIR was instead registered by the police *suo moto* after noticing the video on social media. However, despite the clear visibility of respondent No.4 in the video, his identity was deliberately omitted from the FIR, allegedly due to his political connections. The learned counsel for the petitioner asserts that despite his repeated efforts to ensure a fair and impartial investigation, no meaningful progress has been made in the matter.

4. Learned counsel has further emphasized that respondent No.4 has publicly admitted to the incident in the media and that an unidentified person, acquainted with respondent No.4, is also visible in the video footage of the incident.

5. Upon being specifically queried by the Court as to whether the petitioner is the complainant in the FIR, the learned counsel unequivocally conceded that he is not.

6. I have heard learned counsel for the petitioner and carefully perused the material on record

7. *Locus standi* is a fundamental legal principle that mandates a petitioner to have a direct and substantial interest in the subject matter of the litigation. In criminal proceedings, this principle requires that the petitioner be either the complainant, the victim, or a person directly affected by the outcome of the case. In the present case, it is an admitted position that the petitioner is neither the complainant in the FIR nor the victim of the alleged incident.

8. Permitting individuals, who are neither complainants nor victims, to interfere in the investigation of criminal cases in which they

have no direct involvement could set an undesirable precedent. Such a practice may unduly hinder the autonomy of investigating agencies and disrupt the due process of law.

9. In view of the foregoing, no ground is made out to entertain the present petition and issue directions as prayed for. Accordingly, the present petition stands dismissed.

February 7th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes