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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****CRM-M-22427-2025 (O&M)****Date of Decision: 30.04.2025**

Baljit Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Bhupinder Singh Kundra, Advocate, for the petitioner.

SUDEEPTI SHARMA J. (ORAL)

1. The present petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for issuance of direction to respondent No.4 not to conduct second enquiry on the second and similar complaint made by respondent No.5 in which the petitioner has been issued notice/summons from the office of Superintendent of Police (Investigation), Fatehgarh Sahib and for issuance of direction to respondents No.2 to 4 to restrain from taking further action and for taking any coercive action/steps against the petitioner in furtherance of second complaint and inquiry.

2. Learned counsel for the petitioner contends that previously, an inquiry was conducted in the similar kind of the complaint, which was compromised and the matter was settled between the parties. He, therefore, contends that the second complaint on the same cause of action cannot be filed, therefore, he prays for issuance of direction to respondent No.4 not to conduct second inquiry on the second and similar complaint with regard to which the petitioner has been issued notice/summons from the office of Superintendent of Police (Investigation), Fatehgarh Sahib No.1054/5A/S.P. (Investigation), Fatehgarh Sahib.



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3. Upon advance notice, Mr. Navkiran Singh, Advocate, has put in appearance and filed his Power of Attorney on behalf of respondent No.5.

Learned counsel submits that the present petition is filed on the frivolous ground and respondent No.5 has filed a second complaint not on the similar cause of action/ground whereas there are certain additional issues involved for which, the complaint has been filed before the higher authorities.

4. I have heard learned counsel for the petitioner as well as respondent No.5.

5. A perusal of the record shows that a civil suit for possession by way of specific performance is pending between the petitioner as well as respondent No.5 before the learned Civil Judge (Senior Division), Fatehgarh Sahib and the learned Civil Judge (Senior Division), Fatehgarh Sahib, has granted interim injunction in favour of respondent No.5. Since, the dispute between the parties is civil in nature and the case is now fixed before the learned Civil Judge (Senior Division), Fatehgarh Sahib for 16.05.2025, therefore, this Court does not deem it appropriate to interfere in the proceedings on the complaint filed against the petitioner.

6. In view of the above, the present petition is dismissed being devoid of merit.

7. Pending applications, if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

30.04.2025

Virrendra

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No