

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-13244 of 2015
Date of Decision: August 31, 2015

Gulshan Rai

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Hemant Bassi, Advocate
for the petitioner.

Mr.Anmol Malik, Asstt. Advocate General, Haryana
for the respondent-State.

Ms.Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

Mr.Pardeep Singh Punia, Advocate
for respondents No.12 and 15.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C.
for grant of protection and security to his life and liberty as well as of
his family members.

Notice of motion was issued and respective counsel for the
State and private respondents No.12 and 15 appeared and contested
the petition.

I have heard learned counsel for the parties as well as
learned State counsel and have gone through the record.

It is admitted fact that FIR No.329 dated 20.11.2013 has

been registered and the petitioner is accused in the FIR. Learned counsel for the petitioner argued that petitioner was kidnapped by the police officials at the instance of private respondents and a cheque for ₹60 lacs has been got issued from the petitioner and the petitioner has filed the complaint against the police officials.

On the other hand, learned State counsel argued and also admitted in the reply regarding the issuance of the cheque by the accused-petitioner but their version is that during the settlement, the accused himself issued the cheque of ₹60 lacs. Learned State counsel argued that when the investigation was started against the present petitioner, he started sending representations and making complaints to the higher authorities to hamper and to delay the investigation.

The perusal of the record shows that no DDR or FIR has been got registered by the petitioner regarding any threat or injuries. The petitioner has only filed a criminal complaint under Section 156(3) Cr.P.C., as argued. There is nothing on the record except the representations sent to the higher authorities and except one incident which the petitioner alleges that he was kidnapped and signatures were taken. Whereas the case of the respondents is that during the compromise, petitioner himself gave the cheque to the opposite party. Thereafter, he started levelling allegations.

The perusal of the record further shows that no cogent ground is made out from which it can be concluded that there is serious threat to the life and liberty of the petitioner, who is accused in

the FIR. This petition has been filed against 27 respondents including State but there is no cogent allegation against them showing any threat to the life and liberty of the present petitioner.

From the record, I am satisfied that there is no threat to the life and liberty of the petitioner and therefore, the present petition, stands dismissed.

August 31, 2015
Vgulati

(INDERJIT SINGH)
JUDGE