

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-14511-2015

Date of decision: 11.5.2015

RAMESH KUMAR

.....Petitioner

Versus

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Sharad Mehra, Advocate,
for the petitioner.

- 1. Whether Reporters of local papers may be allowed to see the judgment ?***
- 2. To be referred to the Reporters or not ?***
- 3. Whether the judgment should be reported in the Digest?***

RAJ MOHAN SINGH, J.

Petitioner seeks issuance of directions to respondent Nos. 2 and 3 to safeguard his life from being invaded by respondents No.4 to 10.

Claim of the petitioner is that Rattan Chand, father of the petitioner, was original owner of the land. He was having 4 sons. Two of the sons, namely, Hardeep Kumar and Pawan Kumar were of unsound mind. Rattan Chand executed a Will and, thereafter, he died on 24.12.1996. According to Will of Rattan Chand, brother of the petitioner, namely, Inderjit was given responsibility to take care of Hardeep Kumar and Pawan Kumar but he abandoned both of them.

Petitioner took them to America and both of them remained in his

care and custody. Inderjit fraudulently brought both the brothers, who were not mentally fit, and got registered one sale deed of their share in respect of 69 kanals of land in favour of his son Varun Kamboj (respondent No.6).

Learned counsel states that even though civil suit is pending qua the subject land, but the culpability of accused cannot be done away with particularly when the wrong doers are all out to cause harm to life and liberty of the petitioner. Precisely, in this context complaint dated 14.3.2015 (Annexure P-1) is statedly pending before respondent No.2.

Notice of motion.

On the asking of Court, Mr. **Arshdeep S. Kler, D.A.G., Punjab**, accepts notice on behalf of respondent-State.

In view of nature of order, which this Court proposes to pass, there is no necessity of filing any reply.

Respondent No.2 is directed to have a fair look on the grievance of the petitioner and may devise his own mechanism in order to extract real facts. In the event of finding some worth in the allegations of the petitioner, respondent No.2 would be obligated to act in accordance with law and protect life, liberty and property of the petitioner, if he is not involved in any other criminal case.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

May 11, 2015
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