

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

**Criminal Misc. No. M-1592 of 2014
Date of Decision:-08.5.2015**

Brij Mohan Saini

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

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

Present:- Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. Gurinderjit Singh, Deputy A.G. Punjab.

Mr. Kashmir Singh, Advocate for
Mr. B.D. Sharma, Advocate
for respondent No.5.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for direction to respondent No.2 to protect the life and liberty of the petitioner as granted to him under Article 21 of the Constitution of India and further to take appropriate action against respondents No.4 and 5 on the basis of representation dated 16.9.2013 submitted by the petitioner.

Respondents No.1 to 3 and respondent No.4 have filed their respective replies. Para 2 of the preliminary submissions of the reply of respondents No.1 to 3 read as under :-

“2. That on the said application detailed and

independent enquiry was conducted by Addl. Deputy Commissioner of Police, Amritsar City-2 dated 7.2.2013 and during the course of enquiry the allegations levelled by the petitioner were not proved and found false and frivolous and there was no truth in the application and recommended that action may please be taken against the petitioner u/s 182 Cr.P.C. for filing false and frivolous application which was approved by the Commissioner of Police, Amritsar dated 9.10.2013, but action u/s 182 Cr.P.C. is yet to be taken against the petitioner. It was also found that there is no danger to the life and liberty of the petitioner from the hands of respondent Nos.4 and 5. True translation of enquiry report dated 7.10.2013 is annexed as Annexure R-1/T. Thus the petition deserves to be dismissed on this ground alone.”

Similarly, respondent No.4 has denied the allegations made in the petition. It is submitted that an independent inquiry was conducted through Incharge Police Post Durgiana Mandir, Police Station Civil Lines, Amritsar and during the course of inquiry the allegations levelled by the petitioner were not proved, rather, found false.

Considering the fact that there is no threat perception to the life and liberty of the petitioner, the petitioner is not entitled for any protection.

In view of the stand of the respondents, no action is required to be taken in this petition.

The petition is dismissed.

May 08, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE