

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-18138 of 2014 (O&M)

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Date of decision:30.1.2015

Surjit Kaur and others

.....Petitioners

v.

State of Punjab and others

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. P.S. Saini, Advocate for the petitioners.

Mr. S.S. Chandumajra, Deputy Advocate General, Punjab
for the respondent-State.

Mr. Sham Lal Bhalla, Advocate for respondent No.4.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for protection of life and liberty of the petitioners from the respondents by providing Police help. It has been further prayed for directions to respondent No.1 to get the matter investigated relating to the representation dated 28.4.2014 of the petitioners against respondent No.4 through some independent agency.

Notice of motion has been issued in this case.

Mr. S.S. Chandumajra, learned Deputy Advocate General,

Punjab has put in appearance on behalf of the respondent-State and Mr.

Sham Lal Bhalla, learned Advocate has appeared on behalf of respondent No.4 and contested this petition.

I have heard learned counsel for the petitioners and learned Deputy Advocate General, Punjab appearing for the respondent-State as well as learned counsel for respondent No.4 and have gone through the record.

At the time of arguments, it was admitted that there is no DDR, FIR etc. except one of the occurrence mentioned in the representation dated 28.4.2014, which occurred on 20.4.2014 as per the petitioners. There is nothing argued at the time of arguments that there is any threat to the life and liberty or the petitioners were given injuries etc. There are only mere averments in the petition. Otherwise also, nothing has been shown to me that any representation was given to the Senior Superintendent of Police etc. except Annexure-P.7 asking for protection to their life and liberty. Representation Annexure-P.7 is also for taking action against respondent Jagdeep Singh. It is admitted at the time of arguments that regarding this incident of 20.4.2014 in the morning at about 8.45 a.m., the Police had initiated proceedings between both the sides under Sections 107/151 Cr.P.C. It is also admitted at the time of arguments that there is no MLR conducted regarding the injuries received in the occurrence dated 20.4.2014. When specific inquiry was made regarding the injury of chest with sharp object as stated in the representation dated 28.4.2014 Annexure-P.7, learned counsel stated that no such injury had been received, but an attempt was made to give the

injury, but the petitioner saved himself from that injury.

Keeping in view the facts and circumstances of the present case and from the above discussion, I find no merit in the present petition. This Court does not feel any threat to the life and liberty to the petitioners and there is no necessity to get the matter investigated from independent agency as regarding the occurrence the proceedings have already been initiated between the parties under Sections 107/151 Cr.P.C.

Therefore, finding no merit in this petition, the same is dismissed.

January 30, 2015.

(Inderjit Singh)
Judge

hsp