

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-247-2014

Date of Decision: 20.04.2015

Mikha Singh and another

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. L.S. Sidhu, Advocate
for the petitioners.

Mr. Mikhail Kad, A.A.G., Punjab,
for respondents No. 1 to 4.

Mr. Amit Arora, Advocate,
for respondent No. 5.

TEJINDER SINGH DHINDSA,J. (Oral)

The present petition has been filed under Section 482 Cr.P.C, praying for issuance of directions to the official respondents to protect the life and liberty of the petitioners as also his family members from the hands of respondent No. 5, namely ASI Jagdish Singh, who is a resident of the same very village i.e. village Varian Purane, Tehsil & District Tarn Taran.

Upon notice of motion having been issued, a reply by way of affidavit of Deputy Superintendent of Police, Sub Division Goindwal, District Tarn Taran, has been placed on record.

A perusal of the reply and annexures appended thereto would reveal that ASI Jagdish Singh has got voluntarily transferred from District Tarn Taran to Commissionerate Amritsar, on the basis that the petitioner

Mikha Singh had been making complainants against him and vide order dated 10.01.2014, ASI Jagdish Singh was transferred to Amritsar.

Learned State counsel, on instructions from ASI Darbara Singh, has submitted that respondent No. 5, ASI Jagdish Singh, thereafter, stands transferred to Chandigarh i.e. office of the DGP Punjab on deputation basis.

Even though such factual position is not disputed by learned counsel appearing for the petitioner, yet a submission has been made that since respondent No. 5 is a police official and is resident of the same very village, there is still threat perception as regards life and liberty of the petitioners.

In the light of the facts, noticed herein above, the present petition is disposed of with a direction to the Senior Superintendent of Police, Tarn Taran, respondent No. 3 to examine the grievance of the petitioners, in so far as the threat to life and liberty is concerned and thereafter, take any such steps as he may deem fit and as warranted strictly, in accordance with law.

In view of the fact that respondent No. 5 has already stands transferred to Tarn Taran and presently posted at Chandigarh DGP office on deputation, no further directions are required to be passed.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

April 20, 2015
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