

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-30628-2015

Date of decision: 10.09.2015

Jasbir Singh @ Kala

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. HK Verma, Advocate for the petitioner.

R.P. NAGRATH, J. (ORAL)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for issuance of a direction to respondents No. 2 and 3 to protect the life and liberty of petitioner at the hands of respondents No. 4 to 7.

Learned counsel for the petitioner *inter alia* contends that petitioner is one of the eye-witness in FIR No. 86 dated 23.09.2009, registered under Sections 323/324/325/342/506/148/149 IPC at Police Station Division No. 2, Tehsil Pathankot, District Gurdaspur. It is further contended that complainant-Narinder Singh in the said FIR was again assaulted by accused persons (respondents No. 4 to 7) and he again registered FIR No. 116 dated 11.10.2011 under sections 323/324/341/148/149 IPC (Section 326 IPC was added later on) at Police Station Division No. 2, Pathankot. It is also contended that constant pressure is being put up on the petitioner to not to support the prosecution story and the private respondents statedly, committed another incident of causing

injuries to petitioner for which FIR No. 134 dated 18.09.2014 under Sections 341/323/365/295-A/506 read with Section 34 IPC was registered at Police Station Division No. 2, Pathankot.

Notice of motion to respondents No. 1 to 3 only.

On the asking of Court, Mr. Gazi Mohd., DAG, Punjab accepts notice on behalf of respondents No. 1 to 3.

Let requisite number of copies of paper-book be supplied to learned State counsel during the course of day.

In view of the nature of order that is proposed to be passed, no reply is required to be filed by the respondents.

The basic prayer of petitioner is for seeking protection to his life and liberty from private respondents No. 4 to 7, in case he appears as prosecution witness in FIR No. 86 dated 23.09.2009. The petitioner had already filed a representation dated 17.08.2015 (Annexure P-2) in this regard before respondent No. 2-Senior Superintendent of Police Pathankot.

The instant petition is disposed of with a direction to respondent No. 2-Senior Superintendent of Police, Pathankot to look into the representation dated 17.08.2015 (Annexure P-2) and if warranted, take appropriate steps in accordance with law.

September 10, 2015
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(R.P. NAGRATH)
JUDGE