

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

(211)

CRM-M-37291-2012

Decided on: October 09, 2015.

Chanan Ram

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. S.K. Guleria, Advocate, for the petitioner.

Mr. Jashan Preet Singh, AAG, Punjab.

Mr. K.S. Khehar, Advocate,
for respondents No. 2 and 3.

M.M.S. BEDI, J (ORAL)

This is a petition filed by Chanan Ram seeking protection of his life and liberty from respondents No. 2 and 3 claiming that he is being harassed by respondents No. 2 and 3 on the false allegations whereas he being son of Amar Nath and owner of property, had sold some part of it to one Anoop Khullar.

On notice having been issued to the State, it has been informed that as a matter of fact the petitioner had impersonated himself as Chanan Ram son of Amar Nath whereas the actual Chanan Ram had actually died for a long time. It is averred by Deputy Superintendent of Police, Amloh that in order to avoid the consequence of his culpability and his arrest in the criminal case, the petitioner has filed the present petition with an objective to dupe the investigating agency as well as to mislead this Court.

Learned counsel for the petitioner has vehemently urged that as a matter of fact the petitioner is actual Chanan Ram, aged 73 years and has validly alienated his own land and he deserves to be granted protection at the hands of respondents No. 2 and 3.

Learned counsel for respondents No. 2 and 3 has submitted that respondents No. 2 and 3 have nothing to do with the petitioner and that there is no threat to his life or liberty at the hands of respondents No. 2 and 3. They have got no objection in case protection is granted to the petitioner, so far as respondents No. 2 and 3 are concerned.

I have considered the facts and circumstances of the case.

It is an admitted fact that FIR No.139 dated 11.12.2012, under Sections 419/420/465/467/468/471/120-B IPC stands registered against Anoop Khullar and the witnesses of the sale deed regarding allegations that an impersonator of deceased Chanan Ram has sold the property of Chanan Ram whereas he was survived by his sister Raja Devi. The investigation of the said FIR is in progress and the petitioner, as per the investigating agency, is a suspect in said case and is required to be arrested. His identity is also in dispute. However, it has been stated by ASI Karamjit Singh that the petitioner has got no threat to his life and liberty at the hands of respondents No. 2 and 3 or in the complaint of respondents No. 2 and 3. The police does not want to touch the petitioner on any grievance of respondents No. 2 and 3 but the petitioner is alleged to be impersonator of original Chanan Ram and his custodial interrogation is required.

Without expression of any opinion on merits of FIR No.139 of 2012 registered at Police Station Amloh, this petition is disposed of with a direction that the petitioner will not be arrested by the police in any case registered at the instance of respondents No. 2 and 3 without giving him notice of 10 days but so far as the status of the petitioner in FIR No.139 of 2012 registered at Police Station Amloh, District Fatehgarh Sahib is concerned, it will be open to the investigating agency to proceed against the petitioner in accordance with law without prejudice to his right to protect his life and liberty by approaching the Court of competent jurisdiction.

(M.M.S. BEDI)
JUDGE

October 09, 2015
harsha