

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

MUKESH KUMAR SALUJA
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CRM-M-36384-2014
Date of decision:26.03.2015

Manpreet Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Sumit Puri, Advocate for the petitioners.

Mr. K.D.Sachdeva, Addl. A.G., Punjab.

Mr.P.S.Sekhon, Advocate for respondents No. 4 to 9.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against the alleged inaction on the part of official respondents, petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C., seeking direction to respondents No. 1 and 2 for providing protection as they are apprehending threat to their life and liberty, at the hands of private respondents. They have also prayed for immediate protection to their life and liberty.

Notice of motion was issued vide order dated 22.10.2014. Inspector General of Police, Patiala Zone, was ordered to be impleaded as party-respondent No.10. He was directed to look into the matter himself and file his own affidavit alongwith action taken report. Accordingly, affidavit dated 27.11.2014 was filed by the Inspector General of Police, Patiala Zone along with Annexures R-1 to R-3. Thereafter, another affidavit dated 14.2.2015 was filed by Senior Superintendent of Police, Investigation, Sangrur, alongwith voluminous official record including 82 DDRs.

Learned counsel for the State, on instructions from Inspector

Sukhdev Singh, SHO, Police Station City Sangrur, submits that adequate security has been provided to the petitioners to ensure protection to their life and liberty. He further submits that before approaching this Court by way of present petition, petitioners never approached any police authorities by moving an appropriate application raising threat perception. However, ignoring the said aspect of the matter, threat perception, as raised by the learned counsel for the petitioners in the present petition, was considered and adequate security had been provided so as to ensure meticulous compliance of the orders passed by this Court providing protection to the life and liberty of the petitioners. He further submits that petitioners shall continue getting the adequate security to provide protection to their life and liberty till the time they need it. He submits that in view of the appropriate action having been taken, no further orders are warranted and the petition may be disposed of, accordingly.

On the other hand, learned counsel for the petitioners submits that although sufficient security has been provided to the petitioners so as to ensure protection to their life and liberty, yet the appropriate action is not being taken against the private respondents, at the hands of the respondent-police authorities. He further submits that petitioners will be satisfied in case the appropriate direction is issued to the Inspector General of Police, Patiala Zone to ensure taking appropriate action against the private respondents, in accordance with law.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that constitution of SIT comprising of officers of Sangrur District, by the Inspector General of Police, Patiala Zone, was not the appropriate action taken. It is so said, because the petitioners have alleged serious allegations against the police officers of the Sangrur District including respondents No. 2 and 3. This Court deems it

appropriate that let a fresh SIT be constituted by the Inspector General of Police, Patiala Zone. The SIT shall comprise the officers of Barnala District. The SIT so constituted by the Inspector General of Police, Patiala Zone, shall conduct an effective and early enquiry preferably within a period of two months. On conclusion of the enquiry by the SIT, Inspector General of Police, Patiala Zone, shall ensure taking appropriate action passing an appropriate order thereon, strictly in accordance with law.

With the above-said observations made and directions issued, present petition stands disposed of.

26.03.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE