

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

CRM-M-38422-2015

Date of decision: 06.11.2015

Ram Lal

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Binat Sharma, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this Court, by way of instant petition under Section 482 Cr.P.C., for a direction to the respondents to hand over the investigation of FIR No.144 dated 10.09.2015 under Section 336 of the Indian Penal Code ('IPC' for short), registered at Police Station Garh Shankar, District Hoshiarpur to some independent agency like Crime Branch etc. and also seeking protection to the life and liberty of the petitioner.

Learned counsel for the petitioner submits that investigating agency is doing virtually nothing and trying to give a clean chit to the accused of this FIR No.144 dated 10.09.2015. He further submits that petitioner is receiving regular threats about his life and liberty at the hands

of the accused. Faced with this situation, petitioner approached the Senior Superintendent of Police, Hoshiarpur vide his representation dated 21.10.2015 (Annexure P-3) but the same is also pending decision. He also submits that he does not intend to press this petition for the transfer of investigation, for the time being, reserving the right of the petitioner to seek such kind of relief at the appropriate stage, if necessity arises. However, he submits that Senior Superintendent of Police, Hoshiarpur-respondent No.3 may be directed to consider and decide the representation dated 21.10.2015, by passing appropriate order thereon within a reasonable time.

Having heard the learned counsel for the petitioner at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that appropriate direction is required to be issued to the Senior Superintendent of Police, Hoshiarpur-respondent No.3. Accordingly, Senior Superintendent of Police, Hoshiarpur-respondent No.3 is directed to look into the matter, consider the grievance raised by the petitioner in his representation dated 21.10.2015 (Annexure P-3) and decide the same at an early date, by passing appropriate order thereon, strictly in accordance with law but in any case, within a period of one month from the date of receipt of certified copy of this order.

Senior Superintendent of Police, Hoshiarpur-respondent No.3 is further directed to ensure fair and effective investigation in FIR No.144 dated 10.09.2015 under Section 336 IPC, registered at Police Station Garh Shankar, District Hoshiarpur. Further, he shall also ensure that no harm is

caused to the life and liberty of the petitioner and his family members, at the hands of accused of FIR No.144 dated 10.09.2015 or anybody else on their behalf.

With the abovesaid observations made and directions issued, present petition stands disposed of.

06.11.2015
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[RAMESHWAR SINGH MALIK]
JUDGE