

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

CRM-M-25119 of 2016.

Decided on:-27.07.2016.

Shishan.

.....Petitioner.

Versus

State of Haryana and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Vivek Goyal, Advocate for the petitioner.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.PC is for issuance of directions to respondents No.1 to 3 to protect life and liberty of the petitioner and his family members at the hands of respondents No.4 and 5, who are threatening the petitioner and his family members.

Learned counsel for the petitioner contends that respondents No.4 and 5 had approached this Court by way of ***CRM-M-15022 of 2016*** and obtained order dated 4.5.2016 by concealing certain facts. Since respondent No.4 was already married with the petitioner, she is guilty for commission of offence under Section 494 IPC. Respondents No.4 and 5 have committed criminal act and a case is required to be registered against them.

Learned counsel for the petitioner further contends that the petitioner has already made a representation dated 30.6.2016 (Annexure P-8) to respondent No.2 i.e. Superintendent of Police, Kurukshetra for protection of life and liberty of the petitioner and his family members, but no action thereon has been taken by the police so far.

Notice of motion to respondents No.1 to 3 only at this stage.

On asking of this Court, Mr. Manish Bansal, DAG, Haryana accepts notice on behalf of these respondents.

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

Heard.

So far as prayer of the petitioner for registration of a case against respondents no.4 and 5 is concerned, the same cannot be accepted in view of the judgment of Hon'ble Supreme Court in ***Sakiri Vasu Versus State of U.P. and others (2008) 2 SCC 409***. The petitioner has the remedy available under law for the relief of registration of a case against respondents No.4 and 5 and he can approach the concerned forum.

However, so far as the prayer of petitioner for protection of his life and liberty is concerned, without commenting upon the merits of the case including the facts as submitted in the representation (Annexure P-8), the present petition is disposed of with a direction to the respondent No.2 to take note of the contents of said representation and to take appropriate action in accordance with law.

July 27, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes / No

Whether Reportable: Yes / No