

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

CRM No.M-28937 of 2016 (O&M)

Date of Decision: August 22, 2016

Bachittar Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Surinder Singh Siao, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. read with Article 226 of the Constitution of India against State of Punjab and other respondent for protection of life and liberty and providing security as the life of the petitioner is in danger at the hands of respondents No.3 to 7 etc.

I have heard learned counsel for the petitioner and have gone through the record.

The perusal of the record shows that present petitioner alleges himself as AAP worker. It is further clear from the record that private respondents, who are MLA and Ministers in the Punjab Government, have never contacted the present petitioner directly and have not given any threat to the life and liberty of the petitioner. From the perusal of the record, I find

that wife of the petitioner is a PCS officer working with Government of

Punjab. It is alleged that family of the wife of the petitioner is related with the family of Minister. Nothing has been shown on the record that in any way, the private respondents have motive to give threats to the applicant.

From the record, further I find that there is dispute between the petitioner with his wife and she has already got registered FIR under Section 307, 382, 498-A IPC etc. The mere averment that SHO, Police Station Tarn Taran gives threat to the petitioner on behalf of the private respondents, is no ground for providing any security. The perusal of the record shows that there is no serious threat to the life and liberty of the petitioner nor any specific particular of any type has been mentioned in the petition.

As regarding the fact advance notice under Section 160 Cr.P.C. should be given to the petitioner if any criminal case is registered against the petitioner, I find that Section 160 Cr.P.C. relates to the witness and not the accused. If any FIR is registered against the accused for a cognizable offence, then the police has the right to arrest him without any warrant.

In view of the above discussion, finding no merit in the present petition, the same is dismissed.

August 22, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No