

Sr. No. 237

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

**CRM No. M-33010 of 2015 (O&M)
Date of Decision: 04.05.2016**

Harjit Singh and others

...Petitioners

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Ms. Shivali Jain, Advocate,
for the petitioners.

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

TEJINDER SINGH DHINDSA. J (ORAL)

The present petition has been filed under Section 482 Cr.P.C. seeking directions to the official respondents to take adequate measures for protection of life and liberty of the petitioners by making averments that they apprehend danger and threat to their life and liberty at the hands of private respondents No.3 to 8.

Further direction sought was to direct respondent No.2 to decide a representation dated 12.08.2015 at Annexure P-3.

Upon notice of motion having been issued, a reply dated 04.12.2015 by way of an affidavit of the Assistant Sub Inspector, posted at Police Station Rawalpindi, Phagwara Sub Division, District Kapurthala on behalf of respondent No.4 was filed in Court. Copy of the same was even furnished to the counsel appearing for the petitioners.

The categoric stand taken on behalf of the official respondents in the present case is to the following effect:-

“Neither any case stands registered against the petitioners in any Police Station of Phagwara Sub Division, nor any enquiry or complaint is pending against them and hence there could be no occasion for the police to harass and pressurize the petitioners. The petitioners neither approached the answering respondents nor moved any complaint against respondents No.5 to 8 muchless highlighting any such alleged threat perceptions. The apprehensions of the petitioners are totally false and misconceived. It is, submitted that Tej Pal Singh alias Teja, the son of the petitioner No.1 is a man of criminal behaviour and case FIR No.62 dated 07.06.2015 under Sections 341/323/148/149/506/120-B/325 IPC, Police Station Satnampura, Phagwara, stands registered against him and respondents No.5, 6 and 7 stand arrested and challan against them has been presented in the Court of learned Sub Divisional Judicial Magistrate, Phagwara, whereas Tej Pal Singh @ Teja the son of petitioner No.1 is absconding and proclamation under Section 82 of the Code of Criminal Procedure, have been issued against him for 05.01.2016.”

Learned State counsel apprises the Court that Tej Pal Singh @ Teja i.e. son of petitioner No.1 has since been declared a proclaimed offender on 05.02.2016.

It may be noticed that in spite of time having been sought by counsel for the petitioners to file a rejoinder to the reply dated 04.12.2015, no such rejoinder has been filed till date.

There being no rebuttal at the hands of the petitioners, the stand taken on behalf of the State and as noticed hereinabove

will be taken as factually correct.

Under such circumstances, no directions are required to be passed in the present case.

Petition is disposed of.

04.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**