

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

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**CRM-M-17328 of 2017 (O&M)
Date of Decision: May 16, 2017**

Surinder Pawar

....Petitioner

vs.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Akshay Bhan, Sr. Advocate with
Mr. Alok Mittal, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA, J. (Oral)

Counsel at the very outset makes a statement that he is confining the scope of instant petition preferred under Section 482 Cr.P.C. for issuance of directions to respondents No.1 to 3 to protect the life and liberty of the petitioner and his family members by voicing an apprehension and threat to the same and at the hands of private respondents No.4 to 15.

During the course of arguments, counsel has adverted to the judgments and decrees placed on record as Annexure P-2 (Colly) to contend that the petitioner is a decree holder and respondent No.5 herein i.e. Gurlal Singh S/o Sh. Darbara Singh would be the judgment debtor. In the capacity of a decree holder, execution proceedings have been initiated by the petitioner but on account of influence yielded by respondent No.14, who is a sitting MLA, execution proceedings have been frustrated. It is also asserted that under the influence of respondent No.14, the petitioner as also his family members are being harassed and threatened and at the behest of respondent No.15 i.e. Superintendent of Police, Karnal.

Against the limited prayer and submission advanced by counsel, this Court is of the considered view that the petition itself can be disposed of at the initial stage without seeking a response from the respondents.

As such without ascertaining the correctness of averments made in the petition, the instant petition is disposed of in terms of granting liberty to the petitioner to file a representation to the Inspector General of Police, Karnal/respondent No.2., as regards his threat perception. In the eventuality of any such representation, being preferred and confined only as regards protection of life and liberty of the petitioner as also his family members, respondent No.2 would be obligated to examine the same and to thereafter take steps as he may deem fit and as warranted in accordance with law.

It is however clarified that this Court has not dealt with the case on merits and it may not be construed as if, the averments made in the petition have been taken to be as correct.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

16.05.2017
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Whether speaking/reasoned : ***Yes/No***
Whether reportable : ***Yes/No***