

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-21990 of 2017

.....

Date of decision:14.7.2017

Sarabjit Singh and another

...Petitioners

v.

State of Punjab and others

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

Present: Mr. Sandeep Sharma, Advocate for the petitioners.

.....

Inderjit Singh, J.

This criminal miscellaneous petition has been filed by petitioners under Section 482 Cr.P.C. to protect their life and liberty and not to register a false case against them, who are being threatened by respondents No.5 and 6 of being implicated in false case either by them or through their supporter/agent. It has been further prayed for issuance of appropriate directions to respondent No.2 to conduct a thorough and fair inquiry on the representation of the petitioners dated 12.6.2017 (Annexure-P.1) submitted in the office of respondent No.2. It has been further prayed for issuance of appropriate directions to respondents No.3 and 4 not to register any false criminal case or case under the NDPS Act against the petitioners at the behest of respondents No.5 and 6 or any of their supporters/agent. It has been further prayed for issuance of appropriate directions to respondents No.5 and 6 not to harass and threaten the petitioners and not to indulge into unlawful activities of getting false

criminal case or case under the NDPS Act registered against them.

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

From the record, I find that there is no serious threat to the life and liberty of the present petitioners. Further more, heading of the representation shows that it was a complaint against Khushwant Singh and Charanjit Kaur for threatening and intimidating the petitioners for getting them falsely implicated in criminal cases. From the perusal of the representation and also from the complaint, it is clear that the dispute between the parties is regarding property for which the parties have civil remedies before the civil Court. A perusal of the record nowhere shows threat of serious nature to the life and liberty of the petitioners. The direction cannot be issued for not registering false case as false case is not to be registered. The Police is to register the case where cognizable offence takes place and if during investigation or inquiry the Police come to the conclusion that it is false case then they are not to take action. So, for this purpose no direction is required to be issued.

Therefore, from the above finding no merit in the present petition, the same is dismissed.

July 14, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No