

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

CRM No.M-30159 of 2017 (O&M)

Date of Decision: August 23, 2017

Raj Kumar and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ashok Kumar Sama, Advocate
for the petitioners.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 482 Cr.P.C. against State of Punjab and other respondent for directing the official respondents to ensure the security of life and liberty of the petitioner as well as his whole family members which are at the eminent danger at the hands of private respondents.

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

From the record, I find that as per the representation, copy of which is Annexure P-3, given to SSP, Fazilka, the petitioner has asked for protection of his life and liberty and secondly for taking action against 19 persons and thirdly, to direct the SHO to stop the above-said persons from stopping sale of crop from the Commission Agent shop of the applicant.

As regarding the relief for stopping the sale of crop from the

Commission Agent shop, I find that it is a civil matter and there are no detailed facts to give direction on this point. The petitioner is at liberty to avail civil remedies by way of injunction by filing appropriate proceedings before the civil Court.

As regarding the relief for taking action against the private respondents, the petitioners are at liberty to avail alternative remedy as per *Sakiri Vasu v. State of U.P. and others, 2008 (1) R.C.R. (Cr.) 392*. It is held in the above-said case by the Hon'ble Supreme Court that the petition under Section 482 Cr.P.C. should not be entertained in routine and the aggrieved petitioner should avail alternative remedies as noted down in the judgment.

As regarding the protection to the life and liberty, I have perused the representation. It looks that the dispute between the parties is regarding payment of some money and other persons are putting pressure upon petitioner No.1 to make the payments of their dues. As per representation, many times meetings have been conducted etc. for that purpose. The perusal of the whole presentation nowhere shows that there is any serious threat to the life and liberty of the petitioners and no ground is made out for providing security guard to the petitioners.

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

August 23, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No