

In the High Court of Punjab and Haryana at Chandigarh

CRM M-11053 of 2017 (O&M)
Date of Decision: October 05, 2018

Sardar Bhola Singh Virk

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Pawan Kumar, Sr. Advocate with
Mr. Rohit Kumar, Advocate,
for the petitioner.

Mr. Nikhil K. Chopra, Addl. A.G., Punjab.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioner has prayed the following relief:-

“It is, therefore, respectfully prayed that the present petition may kindly be allowed and a direction be issued to respondents no.3 and 4 to protect the property of Truck Union including the trucks of the operators of the Members of the Union and also to protect the life and liberty of the petitioner including the truck operators who are the members of the Union and a criminal case be also registered against unscrupulous / Gunda elements who are threatening the petitioner as well as the truck operators to involve them in some false criminal cases and also trying to forcibly take the possession of the Truck Union in case the petitioner do not leave the post of the President.

It is further prayed that the official respondents i.e.

respondents no.3 & 4 be also directed that none of the vehicle of the operator of the truck union be stopped by the unscrupulous / gunda elements and in such a situation a criminal case be registered against such elements.

It is further prayed that during the pendency of this petition respondents no.3 & 4 be directed immediately to protect the property of truck union, Shaina, Bhadaur, District Barnala including the life and liberty of the petitioner and other truck operators of the members of the union.”

2. After service of notice to the official respondents, they have stated to have held inquiry as is evident from Annexure R-1/T which is produced along with affidavit dated 31.07.2017 of Inspector Ajaib Singh, S.H.O., P.S. Bhadaur, District Barnala. In the affidavit, para no.3 elaborately stated how the petitioner's representation read with relief prayed in the present petition has been considered. In the affidavit, as well as, in the report, the respondents have taken specific contention to the extent that petitioner has not pin-pointed as to who is threatening him and further on what date and who have prevented the petitioner etc. are not forthcoming. Even after receipt of affidavit of Inspector Ajaib Singh on behalf of respondent no.4 dated 31.07.2017 by the counsel for the petitioner, he has not countered by filing appropriate rejoinder along with material. Thus, petitioner has not made out a case.

3. Accordingly, instant petition stands dismissed.

October 05, 2018

vkd

**[P.B. Bajanthri]
Judge**

Whether reasoned / speaking : Yes

Whether reportable : No