

240.

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

CRM-M-20468-2017 (O&M)

Date of decision:13.12.2018.

SHINDER SINGH AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Zubin Chhura, Advocate,
for the petitioners.

Mr. Jagmohan Ghumman, DAG, Punjab,
for respondents No.1 to 3.

Mr. Vaibhav Narang, Advocate, for
Mr. Subhash Chand, Advocate,
for respondents No.4 to 14.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of direction to official respondents to protect the life, liberty and property of the petitioners and their family members, who are at constant threat at the hands of respondents No.4 to 14. Prayer has also been made for transferring the investigation of FIR No.55 dated 06.04.2017 registered under Sections 323, 325, 148, 149 of IPC at Police Station Jandiala, District Amritsar Rural to an independent agency or to the Criminal Branch (Headquarters) at Chandigarh,

Reply has already been filed by way of affidavit of Parampal Singh, PPS, Senior Superintendent of Police, Amritsar (Rural).

Learned State counsel, on instructions from ASI Major Singh, states that in FIR No.55 (supra) which was registered on the statement of petitioner No.1-Shinder Singh against the respondent-Kulwinder Singh @ Billa, Harkamalpreet Singh, Harjinder Singh, Balbir Singh @ Laddu and Jaspal Singh, the police has already completed investigation and submitted the challan on 18.12.2017 and thereafter, the trial Court has framed the charges against the accused on 22.03.2018 and the case is now fixed for prosecution evidence for 19.12.2018.

Similarly, as regard the prayer of the petitioners for directing the independent agency/Crime Branch (Headquarters) to investigate the FIR No.72 dated 19.04.2017 registered under Sections 307, 323, 324, 452, 427, 148, 149 of IPC and Sections 25 & 27 of Arms Act at Police Station Jandiala, District Amritsar (Rural), which was registered at the behest of complainant Kulwinder Singh, during investigation, the offences under Sections 307/452/427 of IPC and Sections 25 and 27 of Arms Act were not found to be made out and accordingly, the same were deleted from the array of Sections. Learned counsel states that investigation in FIR No.72 (supra) is also complete and challan has been presented on 11.01.2018, thereby charges have been framed on 05.04.2018 and the case is pending for for 29.01.2019 for prosecution evidence.

In view of above, this Court finds that since the matter is already seized with the trial Court, the present petition no more survives.

However, as regards the prayer of the petitioners for protection to

their life, liberty and property and their family members is concerned, they are at liberty to approach the Senior Superintendent of Police, District Amritsar (Rural) i.e. respondent No.2 by making a representation, which, no doubt, shall be considered by him in accordance with law.

Disposed of.

(HARI PAL VERMA)
JUDGE

13.12.2018
sanjeev

Whether speaking/reasoned	Yes/No.
Whether Reportable:	Yes/No.