

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-32660 of 2018

Date of Decision: 02.08.2018

Vinod Kumar

...Petitioner(s)

Versus

State of Haryana & others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Mukesh Yadav, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure, 1973 is for issuance of direction to the official respondents no.1 to 6 to grant protection to the petitioner and his family members, as they apprehend threat to their life and liberty at hands of private respondents no.7 to 19 and other relatives.

An FIR No.43 dated 22.02.2018 under Sections 323, 324, 506, 34 IPC, Police Station Kanina was registered at the behest of the petitioner-complainant Vinod Kumar. As per the FIR, Bhagwan Singh, who is grandfather of the petitioner, had executed a Will in the year 2005 in the name of Om Prakash, father of the petitioner and right from the year 1986, the petitioner and his family members are using the said property. On 20.02.2018 at about 5-00 P.M., when employees of the Canal Department

visited the bridge over the canal, the petitioner also reached there. The respondents-accused, who were also present, started abusing the petitioner and also threatened to kill him. The next day, on 21.02.2018 at 5-30-6-00 p.m., when the petitioner and his mother had gone to irrigate their fields, the accused Bijender son of Om Pal, Anita W/o Bijender, Sheelpati W/o Om Pal started abusing the petitioner. Umed s/o Sadharam and Reena w/o Umed also reached there. At that time, Umed was under the influence of liquor. The accused gave beatings to the petitioner and his mother and in this incident, blood started oozing out from the mouth of his mother and her one tooth was also broken. Thus, the allegations against the respondents-accused are that they have given beatings to the petitioner and his family members. Despite the case having been registered against them, no action has been taken against the accused, obviously in connivance with respondents no.5 and 6, who are police personnel.

Learned counsel for the petitioner has argued that the petitioner and his family members were beaten up mercilessly and the condition of the injured petitioner was critical, for which, he was taken to a hospital. The petitioner and his wife were medically examined, but the police did not take any action. Thus, the life and liberty of the petitioner and his family members is in danger, as the respondents-accused can cause any harm to them at any time. He has further submitted that the petitioner and his family members were given beatings even in the police station, when they were called at the police station on 24.06.2018 for investigation. The respondents-accused are influential persons, having connivance with Sarpanch, Panches and members of Panchayat Samiti. They also have

good relations with local politicians. He has further argued that the police has even prepared the cancellation report without investigating the matter properly and the accused persons are continuously threatening and beating the petitioner and his family members, for which, the petitioner has also made representations to higher authorities of the police, but to no avail.

I have heard learned counsel for the petitioner.

The FIR was registered at the behest of the petitioner and all these allegations are more or less similar to the allegations levelled in various representations made to different authorities, which are annexed with this petition. The police has already considered those allegations and after having investigated the matter, prepared the cancellation report. In case the petitioner is not satisfied with the police report, he has a right/remedy available under law.

Accordingly, this Court does not find any merit in this petition.

Dismissed.

August 02, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No