

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

CRM-M-35232 of 2016
Date of Decision: 30.01.2018

Tara Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Hemender Goswami, Advocate
for the petitioner.

Mr. H.S. Sandhu, AAG, Punjab.

Mr. Sanjeev K. Virk, Advocate
for respondents No. 4 to 8.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 482 of the Code of Criminal Procedure for issuance of direction to respondents No. 1 to 3 to protect the life and liberty of the petitioner as well as of his minor daughter.

In response to notice of motion issued by this Court, State of Punjab has filed reply by way of affidavit of Saurav Jindal, PPS, Assistant Commissioner of Police (East), Ludhiana. Preliminary submissions of the same reads as under:

'That the petitioner is used to file false complaints against his brothers and other relatives (private respondents). In fact, the petitioner has property dispute with his brothers/respondents No. 7 and 8 and as such the petitioner has filed a number of complaints/applications and all those

complaints were found false during the enquiries. Infact, earlier the petitioner was residing in Germany and thereafter the petitioner came to India and is now residing alone alongwith his five years old daughter. However, peace keeping proceedings u/s 107/151 Cr.P.C. were launched on the complaint of the petitioner against the private respondents vide DDR No.13 dated 10.06.2015, P.S. Basti Jodhewal, Ludhiana and the private respondents were bound-down by the Ld. Executive Magistrate vide order dated 18.09.2015 (Annexure R-1) to keep good behaviour for six months and in this regard, Bonds with sureties of Rs. 30,000/- each were also got executed from the private respondents. However, there is absolutely no danger to the petitioner and his minor daughter from anybody and all these allegations are being levelled out of frustration only. Hence, the present petition is liable to be dismissed on this ground alone.'

Perusal of paragraph 1 of the preliminary submissions makes it appropriately clear that earlier the petitioner was residing in Germany and thereafter he shifted to India and he is residing alongwith his five years daughter. It is further submitted that proceedings under Section 107/151 Cr.P.C. were also initiated on the basis of the complaint against the petitioner by the private respondents vide DDR No.13 dated 10.06.2015 and the private respondents were bound-down by learned Executive Magistrate vide order dated

18.09.2015 (Annexure R-1) to keep good behaviour for six months and the bond was also executed. It is also submitted that there is absolutely no danger to the life of the petitioner and his minor daughter from anybody.

In view of the above, no further directions are required to be issued in the matter at this stage.

However, liberty is granted that in case the petitioner apprehends any danger to his life in future, he is at liberty to approach this Court.

[MAHABIR SINGH SINDHU]
JUDGE

January 30, 2018
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no