

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

**CRM-M-53783-2018
Date of decision:05.12.2018**

Hari Om Kaushik

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks issuance of directions for protection of his life and liberty and also directions to the effect that the petitioner is not unnecessarily harassed on the basis of complaint submitted by Jatinder Nath and also a direction that an advance notice as contemplated under Section 160 Cr.P.C. be afforded to him in case he is required in connection with any inquiry.

The petitioner has averred that he is General Secretary of Netball Federation of India (Registered) which is duly recognized by Ministry of Youth Affairs and Sports, Government of India. It is stated that there have been several rounds of litigation qua elections and Punjab

Netball Association had filed a Civil Writ petition i.e. CWP No.12276-2016 wherein interim directions had initially been issued to the effect that the election process shall continue but result be not declared, but ultimately the said petition was dismissed on 23.05.2017 and consequently the petitioner was elected as General Secretary of the Federation in July, 2017.

It is further stated that the petitioner in the capacity of the General Secretary had issued notices for disaffiliation of the Punjab Netball Association which was challenged by way of CWP-1330-2018, which is still pending before this Court. Learned counsel has submitted that while this Court is still seized of the matter, the private respondent has filed false complaints with the police so as to unnecessarily harass the petitioner who is time and again being summoned by the police.

Having heard learned counsel for the petitioner, the petition is disposed with direction to respondents No.3 and 4 so as to ensure that in case, the petitioner is required to be associated with any inquiry or investigation or some information is to be elicited from him, then a written advance notice be served upon him for summoning him.

Further in case, there is any threat perception pertaining to life and liberty of the petitioner, it shall be open for the petitioner to move an appropriate application before Superintendent of Police, Rohtak, which shall be duly considered by Superintendent of Police, Rohtak and in case it is found that there is any genuine apprehension of threat to life and liberty of the petitioner, then adequate steps be taken so as to ensure that no harm is caused to the petitioner.

A copy of this order along with copy of petition be sent to respondent No.3-Director, Bureau of Investigation, Punjab, Chandigarh, respondent No.4-AIG Investigation-II, Punjab and Superintendent of Police, Rohtak so as to enable them to do the needful expeditiously.

05.12.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No