

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

CRM-M-671-2019 (O&M)
Date of decision : 01.10.2019

Malwa Prantia Brahman Sabha

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kamal Chaudhary, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Present petition was filed with following substantive prayer:-

“It is, therefore, respectfully prayed that present petition may kindly be allowed and property of the petitioner at the instance of private respondents may kindly be protected and to take stern action against the private respondents for grabbing the property of the petitioner, keeping in view the sequel of the facts mentioned below, in the interest of justice.”

Status report by way of affidavit of Deputy Superintendent of Police, has been filed in which it has been stated as under:-

“3. That earlier at the statement of petitioner Bhupinder

Sharma case FIR No.104 dated 3.11.2018 under section 307, 34 of IPC and section 25, 27, 54, 59 of Arms Act PS Kotfatta was registered. The petitioner recorded his statement that when at about 7:00 PM, he was returning after filling petrol in the scorpio vehicle No. PB-03-AP-2210 and was at some distance from the main gate of the Mandir then two young persons aged about 25-26 years stopped him and confirmed his name and asked whether the keys of temple would be delivered to respondent No.6 or not and when the petitioner refused then one of said two persons, put out revolver and then the petitioner frightened and started his vehicle then that person fired upon petitioner from window side but he saved and moved his vehicle fast and some fire shots hit on the backside of his Scorpio vehicle. The petitioner further deposed that at the time of occurrence, another white colored car was present there and it may be possible that respondents No.6 and 7 remained present in that car. The motive was that respondent No. 6 wanted to be President of Maisar Khana Mandir.

4. That during investigation of the said case, it has come to notice that there was no dispute of being President of Maisar Khana Mandir however a compromise was taken place regarding designation of President of Mandir. During course of investigation, licensed Revolver of Ranjit Sharma was taker into police custody and sent for forensic examination as well as mobile phone locations of their cell phones were perused but nothing suspicious against these persons was found. The said persons were found at some other far place at the time of alleged occurrence. Therefore, cancellation report in the present case has preferred and the same was got

approved from the higher police officials.

5. That the intention of the petitioner is to put pressure upon the private respondents that's why the petitioner filed the present petition. Even otherwise, the petitioner can be provided police protection subject to payment to be made by the petitioner however, the petitioner is not apprehending any serious threat to his life and property.”

In view of the aforesaid reply, no further orders are required to be passed.

In view of the above, the present petition is disposed of.

01.10.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No