

S.No.110

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

CRM-M-11060 of 2019 (O&M)

Date of Decision:12.03.2019

Jony and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Vipul Babuta, Advocate
for the petitioners.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioners seeking issuance of necessary directions to respondent No.2 to protect life and liberty of the petitioners and for providing adequate police protection to them in FIR No.0102 dated 23.06.2016 registered under Sections 307, 34 IPC and under Section 25, 27 of Arms Act (subsequently challan was filed under Sections 307, 34 IPC and under Section 25 of Arms Act) at Police Station Division No.5, District Ludhiana on the basis of representation dated 08.10.2018.

Learned counsel for the petitioners submits that petitioners are the complainant and the injured victim in an incident for which the case under Sections 307, 34 IPC and under Section 25 of Arms Act has been registered at Police Station Division No.5, Ludhiana against four accused. It is further submitted that the above-said accused are habitual offenders, therefore, they are facing several criminal cases. To pressurise the petitioners to withdraw the above-said case, the accused have been extending threats to the present petitioners. Hence, the petitioners apprehend danger to their life. It is further contended that as a measure of

witness protection, the petitioners have even moved an application before the trial Court for ensuring their protection. However, the trial Court has not taken up the application dated 29.10.2018 and consequently, no order has been passed either in the said application or otherwise, qua the protection of the petitioners.

Notice of motion.

On asking of the Court, Mr. Amandeep S. Gill, Sr. DAG, Punjab accepts notice on behalf of the State. Copy of the paper book has been supplied to him by learned counsel for the petitioners in Court today itself.

In view of the above submissions made by learned counsel for the petitioners, the present petition is disposed of with a direction to the trial Court to take a decision within one month on the application dated 29.10.2018; stated to have been moved by the petitioners before the trial Court.

March 12, 2019	(RAJBIR SEHRAWAT)
renu	JUDGE
Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No