

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

CRM-M-34039-2017 (O&M)

Date of decision: 14.05.2019

Kuldeep Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sandeep Gahlawat, Advocate
for the petitioners.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in the present petition is for issuance of directions to respondent No. 2 and 3 to protect the lives and liberty of the petitioners at the hands of respondents No. 4 to 8.

On 13.09.2017, the following order was passed:

“Learned counsel for the petitioners submits that petitioner No. 1- Kuldeep Singh had purchased agricultural land at village Lalpuritpur, Police Station Tappa, Tehsil Khair, District Aligarh, U.P. which is abutting Village Tappa, Bilochpur, District Palwal, Haryana. Petitioner No. 1-Kuldeep Singh is stated to be an old man of about 65 years of age; an agriculturist by profession and petitioner No. 3- Mandeep Kaur at one point of time was working as Assistant Manager in HDFC Bank. He further submits that petitioners belong to Sikh community and their's is the only family belonging the Sikh community staying in the vicinity whereas respondents No. 4 to 6 are trying to grab their land. Learned counsel for the petitioners further submits that on 14.11.2016 an incident took place in which one Budhvir son of Dharampal, who is the real brother of respondent No. 4-Inder Mohan @ Sattay was shot at by respondent No. 5-Bintu and in furtherance, an FIR No. 273 dated 14.11.2016 under Section 148, 149, 302/34 IPC and 25 of the Arms Act was registered at Police Station Hassanpur, District Palwal. It is further submitted

that during the course of investigation, complainant-respondent No. 4, Inder Mohan @ Sattey changed his stand and in order to save respondents No. 5-Bintu, who was attributed gun shot injuries, the complainant named other persons and petitioner No. 2-Gurpreet @ Bhaji was also arrayed as one of the accused, who has been granted bail by this Court vide order dated 28.8.2017 passed in CRMM-24370-2017, Gurpreet @ Bhaji vs. State of Haryana. Learned counsel for the petitioners further submits that since petitioner No. 2-Gurpreet @ Bhaji has to attend the proceedings in the Court at Palwal, when petitioners No. 1 and 3 i.e. Kuldeep Singh and Mandeep Kaur, visited the Court on 6.4.2017, they were chased by respondents No. 4 to 8 and accordingly on a complaint made to the Additional Sessions Judge, Palwal, police protection to petitioners No. 1, 3 and wife of petitioner No. 1 was provided to escort them upto the jurisdiction of District Palwal. He further submits that in this regard FIR No. 306 dated 6.4.2017 was registered under Section 148, 149, 341, 506, IPC against respondents No. 4 and 6 to 8. Learned counsel for the petitioners submits that there are number of other FIRs registered against the private respondents and therefore, the petitioners, specially petitioner No. 2 who is accused in FIR No. 273 dated 14.11.2016 and has to attend the Court is feeling threat to their lives and liberty at the hands of respondents No. 4 to 8. Notice of motion to respondents No. 1 to 3 at this stage for 30.10.2017. On the asking of the Court, Mr. Naveen Sheoran, DAG, Haryana present in Court, accepts notice. Photocopy of the complete paper book be handed over to Mr. Sheoran, DAG, Haryana, during the course of the day. Respondent No. 3-SHO, Police Station Hassanpur, District Palwal, is directed to file an affidavit regarding the protection given to the petitioners for attending the Court proceedings. In the meantime, petitioners may approach respondents No. 2- Superintendent of Police, District Palwal, for providing protection to attend the Court proceedings fixed for 16.9.2017.”

Learned State counsel, on instructions from ASI Raj Kumar, submits that in terms of the aforesaid order dated 13.09.2017, the petitioners have already been provided security for the purpose of attending the court proceedings at Palwal and the said arrangement will continue during the trial.

Learned counsel for the petitioners has not disputed the

aforesaid fact.

In view of the same, no further order is called for in the present petition and the same is disposed of at this stage.

14.05.2019
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>