

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Writ Petition No.4346 of 2020

Date of Decision: July 02, 2020

Baltej Singh & another

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mandeep Singla, Advocate,
for the petitioners.

MANOJ BAJAJ, J.

Petitioners have filed this petition under Article 226 Constitution of India for issuance of a writ in the nature of mandamus directing the official respondent Nos.1 to 4 to protect their life and liberty from the hands of respondent Nos.5 to 7.

Learned counsel for the petitioners contends that respondent No.5 is wife of petitioner No.1, who was caught red handed by him with respondent No.6 and, therefore, for this reason, the petitioners are likely to be implicated in a false case by respondent No.6, who is a police officer. The other petitioner is stated to be helping hand of petitioner No.1, who also received the alleged threats. It is further contended by him that the representations, Annexures P-1 and P-2, submitted by him failed to evoke any response. Learned counsel has vehemently argued that since petitioner No.1 caught respondent Nos.5 and 6 and, therefore, they may prepare to kill him.

After hearing the learned counsel for the petitioners and

perusing the representations dated 01.06.2020 and 10.06.2020, Annexures P-1 and P-2 respectively, this Court finds that both are at material variance with each other. In the first representation, the allegations are regarding beatings given to the mother of the petitioner, whereas in the second representation, it has been alleged that respondent No.5 is engaged in the smuggling of narcotic drugs in connivance with respondent No.6-Baljit Singh and her brothers are helping her. Even otherwise, the argument regarding apprehension of the petitioners that the private respondents may kill them is not substantiated with any material, therefore, a bald assertion may not be enough for taking cognizance and registering the FIR. Similarly, the other argument that the petitioners may be falsely implicated in a criminal case is also not worth acceptance at this stage.

In view of the above, this Court is not inclined to invoke the extraordinary writ jurisdiction under Article 226 Constitution of India.

Dismissed.

July 02, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No