

Sr.No.112

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

CRWP-9984 of 2020(O&M)

Date of decision:02.12.2020

Narinder Singh

... Petitioner(s)

versus

State of Punjab and others

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Gurcharan Dass, Advocate
for the petitioner.

Through Video Conference

Jasgurpreet Singh Puri, J.(Oral)

CRM-W-1184 of 2020

Allowed as prayed for.

CRWP No.9984 of 2020

Present petition has been filed under Article 226 of Constitution of India seeking directions to respondents No.1 and 2 to protect the life and liberty of the petitioner at the hands of respondents No.4 to 10 and to take action in accordance with law with a further prayer to issue direction to respondents No.1 and 2 to withdraw the investigation of FIR

No.77 dated 17.07.2019 and to entrust the same to senior police officials to complete the investigation.

After arguing for some time, learned counsel for the petitioner has submitted that the prayer in the present petition may be confined only to grant of protection of life and liberty and that he would not press the other prayers with regard to the transfer of the investigation at this stage. Learned counsel for the petitioner has submitted that in-fact it is a case where an FIR was lodged against the private respondents No.4 to 6 but while submitting report under Section 173 Cr.P.C the same was submitted only qua respondent No.10 and the police has not submitted any report with regard to respondents No.4 to 9. He has further submitted that the private respondents in connivance with certain police officials are trying to pressurise for withdrawal of the FIR and earlier also one compromise was being effected under coercion in this regard,. He has further submitted that the petitioner and private respondents are residing under the same village and petitioner has active threat from the private respondents and he was not even sometimes allowed to enter in his own house and therefore, he has prayed that necessary directions may be issued to the Senior Superintendent of Police, Rupnagar so that his life and liberty may be protected.

Notice of motion to respondents No.1 to 3 only.

On asking of the Court, Mr. H.S.Sitta, Asst.AG, Punjab, present in the Court, accepts notice on behalf of the State – respondents No.1 to 3 and submits that State has no objection in case limited direction is issued to the police with regard to the assessment and consideration of the threat to the petitioner if any.

In view of the above, this Court is satisfied that in view of the stand taken by the learned counsel for the parties, there is no need to call for the reply at this stage and it will be in the interest of justice to issue directions with regard to the protection of life and liberty to the petitioner. Consequently, present petition is disposed of without commenting anything on the merits of the controversy between the petitioner and private respondents with a direction to Senior Superintendent of Police, Rupnagar i.e., respondent No.2 to look into the threat perception of the petitioner and after considering the same, to take appropriate action if so required and also in accordance with law.

2nd December, 2020

Shivani Kaushik

[JASGURPREET SINGH PURI]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable Yes/No