

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

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CRM-M-10620-2020 (O&M)

Date of decision : 18.12.2020

Kewal Krishan

.....Petitioner

Vs.

State of Punjab and others

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Aditya Pratap Singh, Advocate, for the petitioners.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present criminal writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ, direction or order directing respondent Nos.1 to 3 to protect the life and liberty of the petitioner at the hands of respondent Nos.4 and 5.

Learned counsel for the petitioner would contend that the petitioner has a Will dated 06.11.2013 in his favour whereby his father has bequeathed the residential house to him, qua which a civil suit is also pending. Learned counsel for the petitioner would further contend that respondent Nos.4 and 5 have been threatening the petitioner to withdraw the civil suit and the respondent No.4 is misusing his position to threaten the petitioner-herein. Learned counsel for the petitioner would further contend that a representation dated 11.12.2020 (Annexure P-2) has been given to the Senior Superintendent of Police, Pathankot (respondent No.2). However, no action has been taken on the same. Counsel for the petitioner further submits that at this stage the petitioner would be satisfied if his said representation is decided in accordance with law.

Notice of motion.

On the asking of the Court, Mr. V.G.Jauhar, Senior DAG, Punjab, who has joined the session through video conferencing, accepts notice on behalf of respondent Nos.1 to 3/State. On instructions from ASI Nirmal Jit Singh, learned State counsel has stated that the petitioner was being called on the basis of a DDR which was lodged at the behest of respondent No.5. However, as per the instructions received, there was a compromise which has been effected between respondent No.5 and the petitioner and now the petitioner would not be called any longer for any investigation qua the said DDR.

Since a very limited prayer has been made in the present petition by the learned counsel and he has stated that the petitioner would be satisfied if his representation dated 11.12.2020 (Annexure P-2) is decided, this Court deems it appropriate to dispose off the present petition with a direction to the Senior Superintendent of Police, Pathankot (respondent No.2) to decide the representation dated 11.12.2020 (Annexure P-2) in accordance with law, within a period of three weeks from the date of receipt of certified copy of this order.

It is, however, made clear that any observation made herein shall not , in any manner, be construed as an expression of opinion on the on the merits of the case. Further, the present order shall not be a hindrance in case of any pendency of any other civil or criminal case, if any, against the parties.

Disposed off.

December 18, 2020

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NOTE:

Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No

(ALKA SARIN)
JUDGE