

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

CRWP-1202-2021.
Date of Decision:-01.09.2021.

Joginder Pal

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Harchand Singh Batth, Advocate for the petitioner.

Mr. P.S. Walia, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a criminal writ petition filed under Article 226 of the Constitution of India for issuance of directions to respondent Nos.2 and 3 to protect the life and liberty of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 09.07.2020 (Annexure P-2), a copy of which has been given to the Senior Superintendent of Police, Kapurthala-respondent No.2. In the said representation, the petitioner has raised an apprehension to his life and liberty but in addition to the same, he has also sought legal action against his wife, son and daughter. Prayer has also been made in the representation regarding protection of the property of

the petitioner. Learned counsel has submitted that he does not press his prayer with respect to taking action against his wife, son or daughter or any protection regarding his property, regarding which he would seek appropriate remedy in accordance with law. He has limited his prayer in the present petition to direct respondent No.2 to only look into the aspect of the threat to the petitioner's life and liberty and he would be satisfied in case a limited direction to the above said extent is issued.

Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Mr. P.S. Walia, AAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 3 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Senior Superintendent of Police, Kapurthala, looks into the representation dated 09.07.2020 (Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioner and takes appropriate action in accordance with law.

Keeping in view the above said facts and circumstances and also the statement made by learned counsel for the petitioner, the present petition is disposed of with a direction to respondent No.2 to look into the representation (Annexure P-2) only on the limited aspect of threat to the petitioner and take appropriate action, in accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioner and it would be open to respondent No.2 to make his independent inquiry/assessment with regard to the representation (Annexure P-2) with a limited prayer aforesaid.

In view of what has been observed above, the present petition is disposed of in the abovesaid terms.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.

(VIKAS BAHL)
JUDGE

September 01, 2021.
sandeep

Whether speaking/reasoned:-	Yes / No
Whether Reportable:-	Yes / No.