

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-10828-2021 (O&M)

Date of Decision:-26.3.2021

Rajesh Malik and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. N.S. Shekhawat, Advocate for the petitioners.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

CRM-8862-2021

In view of the reasons mentioned in the application, the same is allowed and the documents annexed with the application are taken on record as Annexures P-7 and P-8 subject to all just exceptions.

CRM-M-10828-2021

1. The petitioners apprehend threat to their lives and liberty at the instance of respondents No.6 and 7 as the petitioners as well as respondents No.6 and 7 both belong to Transgender Community and respondents No.6 and 7 and their associates had been creating problems for the petitioners and their associates and several FIRs had been lodged against them including FIR No.0135 dated 9.11.2019 at Police Station City Balongi under Sections 323, 341, 506 and 34 of Indian Penal Code, FIR No.0007 dated 6.1.2021 at Police Station City Kharar under Sections 379-B, 506, 323 and 34 of Indian Penal

Code and FIR No.0163 dated 9.7.2020 at Police Station City Kharar under Sections 323, 341, 294, 506, 148 and 149 of Indian Penal Code.

2. Learned counsel for the petitioners has submitted that infact respondents No.6 and 7 already stand convicted in FIR No.62 dated 22.3.2014 registered at Police Station City Kharar, SAS Nagar under Sections 342, 326, 328, 506 and 120-B of Indian Penal Code and have been sentenced to undergo imprisonment. It has been submitted that upon an appeal having been filed by the said respondents, the sentence of imprisonment has been suspended and they have now been issuing threats to the petitioners to compromise the matter and, as such, they have a genuine apprehension as regards their safety.
3. Having heard the learned counsel for the petitioners and while refraining from making any expression as regards merits of the case or as regards veracity of averments made in the petition, the petition is disposed off with a direction to respondent No.3-Senior Superintendent of Police, SAS Nagar, District SAS Nagar, Punjab to look into the matter and to get the alleged threat perception of the petitioners examined. In case, it is found that there is any genuine threat to the life and liberty of the petitioners, then necessary steps as warranted under law be taken so as to ensure that no harm is caused to the petitioners.
4. A copy of this order be conveyed to respondent No.3-Senior Superintendent of Police, SAS Nagar, District SAS Nagar, Punjab so as to enable him to do the needful at the earliest.

26.3.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

(Gurvinder Singh Gill)
Judge