

CRWP-2580-2021

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

CRWP-2580-2021.

Date of Decision:-20.09.2021.

Harun

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Mohd. Arshad, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

VIKAS BAHL, J. (Oral)

This is a criminal writ petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. with a prayer to issue an appropriate direction to the official respondents to protect the life and liberty of the petitioner.

On 17.03.2021, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Case taken up through video conferencing.

The grouse of the petitioner is that despite registration of two FIRs by him against private respondents No.5 to 20, they are still threatening the petitioner. The petitioner has moved representations to the police authorities, copies of which being Annexures P5 to P7 but without evoking any response.

CRWP-2580-2021

Therefore, the present petitioner has been compelled to approach this Court.

Notice of motion to official respondents No.1 to 4.

Mr.Tanuj Sharma, AAG, Haryana accepts notice on behalf of the respondents No.1 to 4.

Adjourned to 10.5.2021.

On the adjourned date, the State counsel shall file detailed reply intimating the action taken on the representations said to have been submitted by the petitioner to the police, copies of which being Annexures P5 to P7.

In the meanwhile, respondent No.3, Superintendent of Police, Palwal is directed to ensure that no physical harm is caused to the petitioner and his family members at the hands of private respondents or the persons claiming under them.”

A detailed reply has been filed by the State and para 14 of the said reply is reproduced hereinbelow:-

“14. That in compliance of the order dated 17.03.2021 passed by the Hon’ble High Court in the present petition, a constant watch is being kept in the village and regular raids were made by the Police to village Raniyala Khurd to ensure safety of the petitioner and his family as well as to maintain tranquility in the village.”

A perusal of the above would show that the needful is being done by the respondent-State.

CRWP-2580-2021

Keeping in view the averments made in the said reply, moreso, in para 14, the present petition is disposed of as infructuous.

However, liberty is granted to the petitioner to move a representation to respondent No.3-Superintendent of Police, Palwal, in case he has any apprehension to his life and liberty in future and respondent No.3 is directed to look into the matter and take appropriate action, 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.3 to make his independent enquiry/assessment with regard to such representation moved by the petitioner with a limited aspect aforesaid.

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

(VIKAS BAHL)
JUDGE

September 20, 2021.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No