

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 3026 of 2021
Date of Decision: 14.9.2021**

Diyal Singh alias Gurdiyal Singh and anotherPetitioners

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. G.S.Chanota, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Deepak Sabharwal, Advocate
for respondents No. 4 and 5.

HARNARESH SINGH GILL, J. (ORAL)

This petition has been filed under Article 226 read with Article 21 of the Constitution of India for issuance of a writ in the nature of mandamus directing official respondents to protect the life and liberty of the petitioners from the hands of respondents No. 4 to 6.

Reply by way of affidavit of Deputy Superintendent of Police, Sub-Division, Kapurthala dated 24.8.2021, filed in the Registry, is taken on record.

In the present case, the petitioners have lost their son, Harjit Singh

Learned counsel for the petitioners submits that the petitioners are the old aged parents of Harjit Singh, who has lost his life. He further submits that the son of the petitioners has been murdered by respondent No. 6 in connivance with respondents No. 4 and 5 and in this regard, FIR No. 205 dated 20.10.2016 under Section 302, 398, 397, 304-A, 279 IPC has been registered

pressurizing the petitioners for a compromise.

Learned counsel for the petitioners has restricted his prayer to the extent that he would be satisfied if Senior Superintendent of Police, Kapurthala-respondent No. 2 is directed to decide the representation of the petitioners within a stipulated period.

Learned State counsel as well as learned counsel for respondents No. 4 and 5 submit that one of the co-accused i.e. Gurwinder Singh alias Garry-respondent No. 4 was discharged way-back on 13.1.2017 and moreover, the untrace report has been approved by the Senior Superintendent of Police, Kapurthala.

I have heard the learned counsel for the parties.

Keeping in view the above, and without commenting on the merits of the case, this petition is disposed of with a direction to the petitioners to move a representation to Senior Superintendent of Police, Kapurthala-respondent No. 2, within 15 days from today. On their doing so, respondent No. 2 is directed to decide the same, within a month thereafter, as per law.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

September 14, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No