

**119 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRWP-3198-2021

Date of Decision: 09.08.2021

Karanjit Singh

Petitioner

Versus

State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rajeev Kawatra, Advocate for the petitioner.
Ms. Monika Jalota, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

[1] The matter is taken up for hearing through video conference due to COVID-19 situation.

[2] This is a petition seeking directions to the Secretary, Home Affairs, State of Punjab and the Director General of Police, Punjab to provide security cover to the petitioner of other than Punjab Police as there is threat from Gurinder Singh @ Ghali @ Jagwinder Singh (hereinafter referred to as respondent No. 5).

[3] There are litigations pending between the petitioner and respondent No. 5. The bone of controversy is that the son of the petitioner married the daughter of the respondent No. 5 against the wishes of her parents. F.I.R. No. 83, dated 20th December, 2011 under Sections 341, 325, 148, 149 and 120-B of IPC (Section 308 of IPC was added later on) was registered at Police Station Tarsika, District Amritsar at the instance of the petitioner against respondent No. 5. F.I.R. No. 160, dated 24th October, 2014 under Sections 307, 148, 149,

120-B and 506 of IPC and Sections 25 and 27 of the Arms Act, 1959 was registered at Police Station Kot Isah Khan, District Moga against the petitioner, his wife and two sons. The wife of the petitioner was shot dead. F.I.R No. 27, dated 8th March, 2021 under Sections 302, 307, 148, 149 and 120-B of IPC and Section 25 and 27 of the Arms Act, 1959 was registered at Police Station Kot Ise Khan, District Moga.

[4] Mr. Rajeev Kwatra, learned counsel for the petitioner submits that petitioner is under constant threat and respondent No. 5 has an influence on the local police. Submission is that respondent No.5 had influence on the trial Court, as on his place, an impersonator was appearing in the trial Court proceedings when respondent No. 5 left for U.K. without informing the Court. The contention is that while producing in Court, respondent No. 5 was not being handcuffed. He relies upon the report of N.R.I. Commission of June, 2015 to show influence of respondent No. 5 on the police officials.

[5] Ms. Monika Jalota, Deputy Advocate General, Punjab relies upon the pleadings of short reply filed. She submits that on the date of incident when wife of the petitioner was shot dead, the petitioner had not demanded any security and went to Moga of his own. She, on instructions, submits that as and when the petitioner would be called for trial in F.I.R. Nos. 27 and 160, he shall be provided security from his house to the Court and back. She further submits that respondent No. 5 is behind bars. The P.C.R. Motorcycle officials in the residential area of petitioner have been directed to keep surveillance and randomly check

the well being of the petitioner from time to time.

[6] CRM-M-11244 of 2015 filed by the petitioner earlier was disposed of on 17th May, 2016 in view of statement made by learned State counsel that petitioner would continue to get security, as and when he would appear before the trial Court.

[7] Before disposing of the petition, this Court expresses its displeasure on the irresponsive allegation made against the trial Court. Suffice to say that there is nothing on record to show that trial Court was influenced and it allowed the impersonator to appear. Only an order of this Court directing JMIC 1st Class, Moga to expeditiously dispose of the application is annexed.

[8] The present petition is disposed of in view of statement made by learned State counsel that as and when petitioner is called for in the trial Court in F.I.R.s mentioned above, he will be provided security from his house to Court and back. At this stage, no further directions are called for.

[9] However, it is clarified that in case of some fresh threat perception based upon some subsequent happening, the petitioner would be at liberty to apply to police officials for providing security cover. The request of the petitioner would be considered in accordance with law as expeditiously as possible.

[AVNEESH JHINGAN]
JUDGE

9th August, 2021
pankaj baweja

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| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | Yes |