

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

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CRWP No.3567 of 2021 (O&M)
DATE OF DECISION: 12.04.2021

Pardeep Kumar and Others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Kiranpal Rana, Advocate for
Mr. Bhupinder Ghai, Advocate for the petitioners

ALKA SARIN, J. (Oral):

Heard through video conferencing.

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Mandamus directing respondent Nos.2 and 3 to protect the life and personal liberty of the petitioners at the hands of respondent Nos.4 and 5.

Learned counsel for the petitioners would contend that respondent Nos.4 and 5 are co-villagers and have been threatening the petitioners every now and then. The petitioners belong to Scheduled Caste and are poor persons doing menial work. The respondent Nos.4 and 5 are influential people and have been harassing the petitioners on various occasions. Learned counsel for the petitioners have contended that even earlier the petitioners were beaten up, which is apparent from a copy of MLR dated 25.04.2019 (Annexure P-1). The petitioners have approached the official respondents numerous times. However, no action has been taken till date. It is further contended that on 13.03.2021 respondent Nos.4 and 5

along with other unknown persons had apprehended petitioner No.1 while he was going to the field. In this regard an application was sent to the Incharge of Police Chowki Bella on 13.03.2021 (Annexure P-2). However, no action was taken. Thereafter, representation dated 18.03.2021 (Annexure P-3) has been sent to respondent No.2 and another representation dated 01.04.2021 (Annexure P-4) was also sent by registered post. However, no action has been taken on the same. Learned counsel for the petitioners would contend that at this stage he limits his prayer in the present petition and would be satisfied if directions are issued to respondent No.2 to take a decision on the representations in accordance with law.

Notice of motion.

On the asking of the Court, Ms. Samina Dhir, Deputy Advocate General, Punjab, has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 3. Since the matter is not being decided on merits, the service on the other respondents is dispensed with.

Heard the learned counsel for the parties.

Without expressing any opinion with regard to the veracity of the contents of the petition and the submissions made by learned counsel for the petitioners, the present petition is disposed off with a direction to the Senior Superintendent of Police, Rupnagar, Punjab (respondent No.2) to take a decision on the representations dated 18.03.2021 (Annexure P-3) and 01.04.2021 (Annexure P-4), respectively in accordance with law and to take necessary action thereupon, if required.

It is, however, made clear that this order shall not, in any manner, be construed as an expression of opinion on the veracity of the statement made by the petitioners and shall have no effect on any other civil or criminal proceedings, if any, instituted/pending against them.

April 12, 2021
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(ALKA SARIN)
JUDGE

<u>NOTE:</u> Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
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