

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

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**CRWP No.4251 of 2021  
Date of Decision: 12.05.2021**

Davinder Singh

....Petitioner

**VERSUS**

State of Punjab and others

....Respondents

**CORAM: HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. Kehar Singh Hissowal, Advocate for the petitioner.

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**ALKA SARIN, J. (Oral)**

Heard through video conferencing.

This is a petition under Article 226 of the Constitution of India for issuance of a direction to the official respondents to consider the representation dated 22.04.2021 filed by the petitioner to protect the life and liberty of the petitioner at the hands of the private respondents.

Learned counsel for the petitioner would contend that the petitioner is an old man who has been harassed by the private respondents and despite repeated representations no action has been taken. According to learned counsel, three attacks have been made on the petitioner and his family members by the private-respondents. He further submits that civil litigation is already pending between the parties in which a restraint order has been passed against some of the private-respondents.

Notice of motion.

On the asking of the Court, Ms. Bhavna Gupta, DAG Punjab, who has joined the session through video conferencing, accepts notice on behalf of the respondent nos.1 to 3. She on instructions from SI Davinder

Singh states that FIR No.34 dated 12.04.2021 was registered against the petitioner in which he was granted concession of interim bail vide order dated 16.04.2021 (Annexure P-6). Learned State counsel further, on instructions, states that the petitioner had joined the investigation in FIR No.34 on 21.04.2021 but has not been cooperating.

I have heard learned counsel for the parties.

The present petition reveals that there is some civil litigation ongoing between the petitioner and the private-respondents. The petitioner has alleged that he is receiving threats at the hands of the private-respondents and fears for his and the life of his family members and that there have been three attacks on him and his family members by the private-respondents. Though FIR No.34 has been registered against the petitioner and his family members, that would not give the private-respondents any right to take the law into their own hands as has been alleged in the petition. The contention of the State counsel that the petitioner is not cooperating in the investigation would not justify the inaction by the Police to look into the alleged attacks on the petitioner and his family members. The alleged non-cooperation by the petitioner in the investigation in FIR No.34 can be looked into by the Court, which is seized of the anticipatory bail matter.

Without expressing any opinion with regard to the veracity of the contents of the petition and the submissions made by learned counsel for the petitioner, the present petition is disposed off with a direction to the Senior Superintendent of Police, Ludhiana (Rural), Jagraon (respondent No.2) to consider the representation dated 22.04.2021 (Annexure P-3) and take necessary action as per law.

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 petitioner and shall have no effect on any other civil or criminal proceedings, instituted/pending against him.

Disposed off.

**( ALKA SARIN )  
JUDGE**

**12<sup>th</sup> May, 2021  
jk**

NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO