

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

**260**

**CRWP-4985-2021**

**Decided on : 27.09.2021**

Sanjeev Kumar and another

... Petitioners

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

**(Through Video Conferencing)**

PRESENT: Mr. G. S. Verma, Advocate  
for the petitioners.

Mr. C. L. Pawar, Sr. DAG, Punjab.

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**VIKAS BAHL, J. (Oral)**

The present petition has been filed under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus for issuing directions to respondents No. 1 to 3 for protection of life and liberty of the petitioners and also to register FIR against respondents No. 4 to 11.

Learned counsel for the petitioners has submitted that the petitioners in the said regard have given a detailed representation dated 11.05.2021 to respondent No. 2 and 3. Even a perusal of the said representation would show that two prayers have been made by the petitioners. The first prayer is for taking action against the private respondents No. 4 to 11.

Faced with the dictum of law laid down by Hon'ble the Supreme Court of India in case titled **Sakiri Vasu Vs. State of U.P. and others, reported as 2008(2) SCC 409** and in **M. Subramaniam and**

*another Vs. S. Janaki and another, Criminal Appeal No.102 of 2011,*  
*decided on 20.03.2020,* learned counsel for the petitioners seeks permission of this Court to withdraw the present petition qua first prayer with liberty to pursue alternative remedies in accordance with law.

Ordered accordingly.

Second prayer which has been made by the petitioners both in the petition and the representation is to protect the life and liberty of the petitioners and for the same, certain averments have been made, on the basis of which, learned counsel for the petitioners has submitted that the petitioners have apprehension to their life and liberty. He has further submitted that he would be satisfied in case the respondent No. 2- Commissioner of Police is directed to look into the representation dated 11.05.2021 (Annexure P-4) with a limited prayer for only protection of their life and liberty and takes appropriate action in accordance with law.

Learned State counsel has submitted that he has no objection in case, respondent No. 2- Commissioner of Police , looks into the representation dated 11.05.2021 (Annexure P-4) with a limited prayer for only protection of life and liberty of the petitioners and takes appropriate action in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No. 2- Commissioner of Police, to look into the representation dated

11.05.2021 (Annexure P-4) with a limited prayer for only protection of life and liberty of the petitioners and after making necessary enquiries, respondent No. 2 shall take appropriate action in accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioners and it would be open to respondent No. 2 to make his independent enquiry/assessment with regard to the representation with a limited prayer aforesaid.

In view of what has been observed above, the present Criminal Writ Petition is disposed of in the abovesaid terms.

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

**(VIKAS BAHL)**  
**JUDGE**

**27.09.2021**

*Mehak*

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No