

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No. 6628 of 2021
Date of Decision: 19.07.2021

Varinder Sharma

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Naresh Chander, Advocate, for the petitioner.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India seeking a writ in the nature of Mandamus directing the official respondents to protect the life and liberty of the petitioner in the hands of respondent Nos.5 and 6 and their other friends and relatives with a further prayer to take immediate action against respondent Nos.5 to 14 as they are disobeying the orders passed by this Court vide Annexure P-1 whereby the dispossession of the petitioner from the property in dispute was stayed and according to the learned counsel for the petitioner the said order of dispossession is still in operation because the application before the learned Civil Judge, under Order 39 Rule 1 and 2 has not been decided as yet.

The learned counsel for the petitioner during the course of arguments has submitted that he will confine the scope of the present petition only to the extent to threat to his life and so far as the other remedy with regard to disobedience of the order dated 07.06.2021 (Annexure P-1) passed by this Court is concerned, he may be granted liberty to file appropriate petition either under the Contempt of Court Act or under any other law.

Notice of motion to respondent Nos.1 to 4 only.

Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab accepts notice on behalf of the aforesaid respondents and states that he has no objection in case the appropriate directions are issued only to the extent of protection of life of the petitioner, if a threat so exists and to take appropriate action in accordance with law.

I have the learned counsel for the parties.

The learned counsel for the petitioner has confined the scope of present petition only pertaining to seek directions to protect his life at the hands of private respondents.

In view of the above, respondent No.3- SSP, Hoshiarpur is directed to assess the threat perception of the petitioner and in case it is so required, then to ensure that no harm is caused to the life of the petitioner.

It is made clear that the present orders are pertaining only to the extent of ensuring of protection of life of the petitioner and it does not create any impediment upon the authorities to take any legal action, if otherwise so warranted and in accordance with law.

So far as the other prayer of the petitioner is concerned, no liberty is required for filing any contempt petition or any other petition in

accordance with law, as the petitioner can always invoke any remedy which is available to him in accordance with law.

The present petition stands disposed of.

19.07.2021

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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