

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-7651-2021

Date of Decision: 18.08.2021

Birbal Kumar Yadav

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Anil Chawla, 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 with a prayer for issuance of directions to respondent Nos.2 to 4 to protect the life and liberty of the petitioner from the hands of respondent No.5 whose name has been mentioned as Lakhwinder Singh, DSP, Hoshiarpur.

Learned counsel for the petitioner has submitted that a representation was also filed before the Director General of Police, Chandigarh with a copy to the Police Commissioner, Amritsar but no action has been taken.

On the last date of hearing the learned State counsel was asked to seek instructions in the matter.

Today, Mr. Randhir Singh Thind, DAG, Punjab has stated on

instructions from SI Parshotam Lal that the grievance of the petitioner is misconceived. He submitted that they have enquired into the matter from where it was found that there is no person in name of Lakhwinder Singh posted as DSP in the entire District of Hoshiarpur. He further submitted that an inquiry was also taken at the spot from the neighbours of the petitioner from where it was found that nobody had visiting the house of the petitioner. He further submitted that in any case if the petitioner has any grievance then he can always approach the police station/SHO and in that eventuality the further process can also taken in accordance with law.

Mr. Anil Chawla, learned counsel for the petitioner has submitted that for the last three days now another person in the name of Gopal Singh who states himself to be DSP had been calling.

In view of the aforesaid submissions made by the learned State counsel as well as learned counsel for the petitioner it appears that it is a totally disputed question of fact as to who has called the petitioner and who has not called the petitioner. Be that as it may no direction can be issued in vacuum and, therefore, the present petition is dismissed.

However, in case the petitioner has any real grievance, then he shall always be at liberty to approach the concerned police station/SHO and in the event of his doing so, the concerned SHO shall further proceed in accordance with law.

18.08.2021

rakesh

**(JASGURPREET SINGH PURI)
JUDGE**

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