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

CRWP-8888-2021

Date of decision : 17.09.2021

Nirmal Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. H.S. Dhindsa, Advocate for the petitioners.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Primarily, in the present Criminal Writ Petition filed under Articles 226/227 of the Constitution of India and in the representation dated 05.08.2021 annexed as Annexure P-5 with the same, two prayers have been made. First prayer is for registration of FIR against the private respondents and second prayer is for protection of life and liberty of the petitioners.

With respect to the first prayer i.e. for registration of FIR against the private respondents, learned counsel for the petitioners seeks permission of this Court to withdraw the present Criminal Writ Petition with liberty to avail alternative appropriate remedy in accordance with law.

Ordered accordingly.

Learned counsel for the petitioners has submitted that although the present dispute is civil dispute yet the private respondents who are stated to be having the guns and rifles and having the criminal antecedents also, have done the act as stated in the representation dated 05.08.2021 (Annexure P-5) in order to raise the apprehension to the life and liberty of the petitioners.

With respect to the second prayer, learned counsel for the petitioners has submitted that the petitioners would be satisfied in case respondent No.2-Senior Superintendent of Police is directed to look into the representation dated 05.08.2021 (Annexure P-5) with a limited prayer for only protection of their life and liberty and takes appropriate action in accordance with law.

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

On advance notice, Mr. Saurav Khurana, DAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 4 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Senior Superintendent of Police, looks into the representation dated 05.08.2021 (Annexure P-5) 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-Senior Superintendent of Police, to look into the representation dated 05.08.2021

(Annexure P-5) 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.

17.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**