

110

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39415-2021

Date of decision : 21.09.2021

Bawa Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Ruby Kaur, Advocate for the petitioner.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

In this petition filed under Section 482 of Cr.P.C., primarily two prayers have been made by the petitioner, first prayer is with respect to registration of FIR against the private respondents.

Learned counsel for the petitioner, in view 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**, seeks permission of this Court to withdraw the present petition qua the said prayer with liberty to pursue alternative remedies in accordance with law.

Ordered accordingly.

Second prayer made in the petition is with respect to protection of life and liberty of the petitioner, regarding which, he had moved a representation dated 08.09.2021 to respondent No.2-Senior Superintendent of Police, Hoshiarpur (Annexure P-3) in which it has been stated that on account of threat given by the private respondents, he has apprehension to his life and liberty.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case respondent No.2-Senior Superintendent of Police is directed to look into the representation dated 08.09.2021 (Annexure P-3) with a limited prayer for only protection of his life and liberty and takes appropriate action in accordance with law.

Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Mr. Saurav Khurana, DAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 3 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 08.09.2021 (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner 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 08.09.2021 (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner 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 petitioner 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 petition is disposed of in the abovesaid terms.

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

21.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No