

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(112)

CRWP-9628-2021

Date of decision: - 08.10.2021

Madan Lal Gupta and another

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. D.S. Sobti, Advocate,
for the petitioners.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view of the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed for seeking direction to respondent No.2 to protect the life and liberty of the petitioners, as they apprehend danger to their life & liberty from private respondents.

Learned counsel for the petitioners argues that the present petition may kindly be treated on behalf of petitioner No.2 only as petitioner No.1 is not residing in India at present and therefore, he is not pressing the present petition qua him, at this stage.

Ordered accordingly.

Learned counsel for petitioner No.2 submits that in the present case, respondent No.5, who is mother of petitioner No.2,

trespassed into the house in question, which is owned by grandfather of petitioner No.2 i.e. petitioner No.1 and the said property was damaged by her, which fact is clearly proven from the CCTV footage, a copy of which is appended as Annexure P-12.

Learned counsel for petitioner No.2 submits that though, the police was present at the site of the incident, but no action has been taken by the police so far and respondent No.5 has put up a tent outside the said house of petitioner No.2 so as to create difficulties for him and petitioner No.2 apprehends threat to his life and liberty at the hands of his mother and other private respondents, who are supporting her.

Learned counsel for petitioner No.2 submits that in respect of the said fact, petitioner No.2 has already raised the grievance before the higher authority i.e. respondent No.2-the Commissioner of Police, Ludhiana, by filing a representation dated 28.09.2021 (Annexure P-13), which is still pending consideration with the said authority and petitioner No.2 will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the representation dated 28.09.2021 (Annexure P-13) by passing an appropriate speaking order.

Notice of motion.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel raises no objection with regard to prayer of petitioner No.2 for deciding the representation dated 28.09.2021

(Annexure P-13) by respondent No.2 in a time bound manner by passing an appropriate speaking order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by petitioner No.2 in representation dated 28.09.2021 (Annexure P-13), respondent No.2 is directed to decide the representation dated 28.09.2021 (Annexure P-13) by passing a speaking order within a period of eight weeks from the date of receipt of a copy of this order.

Present writ petition stands disposed of.

It will be appreciated in case respondent No.5 is also associated before passing the order on the representation filed by petitioner No.2.

October 08, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No