

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

CRWP-9849-2020

DECIDED ON: 25th MARCH, 2021

PUNEET SHARMA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Kartar Singh Malik, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition in the nature of mandamus was filed for issuance of directions to the official respondents for protection of life and liberty of the petitioner from the hands of private respondents arrayed in the petition.

As per the pleadings, the petitioner was apprehending threat from the private respondents. It was alleged that the petitioner had approached the official respondents on more than two occasions, making allegations against the private respondents and now he apprehends threat from the private respondents.

On issuing notice of motion, today learned State counsel has filed the reply by way of an affidavit of Harkrishan Singh, PPS, Deputy Superintendent of Police, Sub Division, Sri Hargobindpur, print out of the same is taken on record. Copy supplied to the counsel for the petitioner.

It would be appropriate to reproduce para 5 of the reply:-

“5. That, it is respectfully submitted that the enquiry officer from the perusal of the statements, discreet and open enquiry had concluded that the petitioner had refused to record his statement before the enquiry officer regarding the complaint made by the respectable of the area/locality. Further the petitioner during enquiry had also failed to produce the video clip photo or other witnesses regarding the alleged allegations of beatings threats to kill and also threat to remove the CCTV Cameras of the house of the petitioner/applicant. The petitioner/applicant was also not able to produce any records/statements of the respectable in order to prove the allegations of teasing the minor daughter of the applicant by making wrong indications and abusing to the female members of the house of the applicant. Thus the allegations leveled in the complaint were found to be false. The complainant/petitioner was not found having any threat as alleged. The enquiry officer has recommended not to provide him any protection/security.”

Learned State counsel submits that on inquiry made, no threat perception was found. However, in future if there is any such apprehension, petitioner can approach the police officials and the matter would be considered expeditiously in accordance with law.

In view of reply filed, learned counsel for the petitioner submits that no cause of action survives for pursuing the present petition but seeks liberty to avail remedies in accordance with law for the redressal of surviving grievance, if any.

Disposed of as infructuous with liberty as prayed for.

(AVNEESH JHINGAN)
JUDGE

25th MARCH, 2021
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No