

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 10456 of 2021
Date of Decision: 02.11.2021**

St. Peter's Church, United Christian Institute Campus,Petitioner
Suranasi, Jalandhar

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Brijesh, Advocate for the petitioners.

Mr. S.S.Deol, DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

(Through video conferencing)

Annexure P-4 appended with the petition, has remained unactioned, on the part of the police agencies, therefore, the petitioner, through the instant petition, seeks directions, being made upon the respondents concerned to lodge an FIR at the police station concerned, in respect of the criminal misdemeanors, made against the persons concerned, and, as mentioned in Annexure P-4.

However, since in respect of the afore relief, the petitioner has an alternate remedy to cast an application under Section 156(3) Cr.P.C., before the Magistrate concerned, therefore, the afore relief is declined by this Court. However, liberty is reserved to the petitioner, to in respect of Annexure P-4 hence cast a motion under Section 156 (3) Cr.P.C., before the learned trial Magistrate, and upon, the appropriate application being filed, the learned trial Magistrate, is directed to make an appropriate order thereon, in accordance with law.

In so far as the relief in the petition, for a direction being made, to provide security, to the petitioner and to the petitioner's property, rather this Court cannot also grant afore relief, as there is no cogent material placed, on record, displaying that there is any imminent threat of the gravest magnitude, hence to the petitioner-Church, and, to the life of the petitioner/Pastor. The afore factum can only be assessed, by the police agencies concerned, especially when there also appears to be a serious dispute, with respect to the validity of the appointment of the petitioner, as a Pastor of the Church concerned. Therefore, the respondents concerned, are directed to, through a speaking order, being made, within two weeks from today, upon a fresh representation being filed, for this purpose (supra) by the petitioner, within three days from today, before the police agencies concerned, hence take a decision thereon.

The SHO of the police station concerned, shall also ensure, that at the Church concerned, the members of the Christian community are enabled to, on the ensuing Sunday, make their prayers, and, also hold mass rather, without any threat to their life, and, liberty, at the instance of any concerned. If deemed fit, he is also directed to deploy security, for facilitating the afore mass being held, in the Church concerned, on the ensuing Sunday.

The petition stands disposed of.

(SURESHWAR THAKUR)
JUDGE

November 02, 2021
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : Yes