

108

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

CRM-M-46731-2021

Date of decision : 08.11.2021

Sahib Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. F.S. Virk, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for issuance of directions to the official respondents to protect the life and liberty of the petitioner and his family members.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 08.09.2021 (Annexure P-3) to respondent No.2-Senior Superintendent of Police, Patiala, in which it has been detailed by the petitioner that the private respondents had caused serious injuries to him on account of which FIR No.171 dated 25.07.2021 under Sections 307, 323, 341, 506, 148, 149 of the Indian Penal Code, 1860 was registered at Police Station City Samana. It is further submitted that the

petitioner had to stay in the Hospital for 70 days and his both legs were badly injured. It is also highlighted that the accused persons are also involved in other 4-5 cases, details of which have been given in para 2 of the said representation. It is further stated that such persons are threatening the petitioner on account of which there is apprehension to the life and liberty of the petitioner and his family members.

Learned counsel for the petitioner has submitted that the petitioner will be satisfied in case respondent No.2-Senior Superintendent of Police, is directed to look into the said representation dated 08.09.2021 (Annexure P-3) primarily on the aspect of threat perception to the petitioner and his family members and to take appropriate action therefrom in accordance with law.

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

On advance notice, Mr. N.K. Banka, 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 his family members 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 his family members and after making necessary

enquiries and assessing the threat perception to the petitioner and his family members, 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.

08.11.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No