

Sr.No.105

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

CRM-M-942 of 2021

Date of decision:12.01.2021

Daler Singh and another

... Petitioner(s)

versus

State of Punjab and others

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Karan Choudhary, Advocate
for the petitioners.

Through Video Conference

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Section 482 Cr.P.C with a prayer to respondent No.2 to safeguard the life and liberty of the petitioners at the hands of respondent No.4 who according to learned counsel for the petitioners is S.H.O, Police Station Dhaliwal, District Gurdaspur.

Learned counsel for the petitioners has submitted that the petitioner and his entire family is being repeatedly threatened by the aforesaid S.H.O who is respondent No.3 and he has also mentioned the various dates and time in para No.3 of the petition as well as in the representation which he had given to the Senior Superintendent of Police,

Gurdaspur vide Annexure P-2. He has submitted that representation was given through registered post and regarding which receipt has already been attached along with the present petition as Annexure P-3. He has submitted that situation has gone to such an extent that the petitioner and his entire family had to lock down their own house and shops and to go somewhere else.

On being asked as to why the aforesaid S.H.O is threatening the petitioners or raiding the house of the petitioner, learned counsel for the petitioners has submitted that it is due to party enmity in the Panchayat elections that he had been receiving threats earlier also that he would be implicated in the false case.

Notice of motion to respondents No.1 to 3 only at this stage.

On asking of the Court, Mr. Luvinder Sofat, Asst.AG, Punjab accepts notice on behalf of State-respondents No.1 to 3 and submits that State has no objection in case representation which has been filed by the petitioner vide Annexure P-2 is looked into by the Senior Superintendent of Police, Gurdaspur, so that further process may be undertaken in accordance with law.

I have heard the learned counsel for the parties.

After hearing the learned counsel for the parties, I am satisfied that at this stage, there is no need to call for the reply from the State as the petition can be disposed of at this stage only. Consequently, it is directed that Senior Superintendent of Police, Gurdaspur respondent No.2 shall look into the representation Annexure P-2 which has been filed by the petitioner and thereafter, to take necessary steps, if so required and in accordance with law. Needless to say that in case any protection of life and liberty is required to be granted to the petitioner or his family members in accordance with law, then the same shall be granted after passing an order on the representation Annexure P-2.

Let the needful exercise be done within a period of two weeks from the date of receipt of certified copy of this order.

Disposed of.

12th January, 2021

Shivani Kaushik

[JASGURPREET SINGH PURI]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*