

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

(108)

CRWP-10889-2021

Date of Decision:-18.11.2021.

Harkanwaldeep Singh alias Harkanwaljit Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Hitesh Chopra, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Article 226 of the Constitution of India for the issuance of a suitable writ, order or direction especially in the nature of mandamus directing respondent Nos.1 and 2 to protect the life and personal liberty of the petitioner.

Learned counsel for the petitioner has submitted that in the present case FIR No.053 dated 29.05.2021 was registered by the petitioner against the private respondents and a cross-version had been got registered by respondent No.5-Pratap Singh against the petitioner and other persons. It is submitted that the petitioner has also filed a petition under Section 153 of Cr.P.C. for calling the status report for monitoring the investigation. It is further submitted that in the representation dated 30.10.2021 (Annexure P-1), it has been stated in paragraph 4 that the private respondents are

CRWP-10889-2021

threatening the petitioner to compromise the matter and on 30.10.2020, two unknown persons with covered faces had threatened the petitioner. Learned counsel for the petitioner has submitted that he would be satisfied in case respondent No.2 is directed to consider the representation dated 30.10.2021 (Annexure P-1) only on the aspect of threat to the life of the petitioner and takes appropriate action thereon.

Notice of motion to respondent Nos.1 to 2 only.

On advance notice, Mr. Karanbir Singh, AAG, Punjab, accepts notice on behalf of respondent Nos.1 and 2 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, Batala, looks into the representation (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioner 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, Batala to look into the representation dated 30.10.2021 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioner and after making necessary enquiries, 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 criminal writ petition is disposed of in the abovesaid terms.

CRWP-10889-2021

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.

The present order should not come in the way of the police authorities to proceed in the cross-case against the petitioner.

(VIKAS BAHL)
JUDGE

November 18, 2021.
sandeep
Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No