

CRWP-11746-2021

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

(108)

CRWP-11746-2021.
Date of Decision:-15.12.2021.

Gurpreet Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Anupreet S. Sidhu, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

In the present criminal writ petition filed under Article 226 of the Constitution of India, primarily two reliefs have been sought. The first prayer made is for directing the official respondents to take action against the private respondents, regarding which the petitioner has even prayed in the representation. Learned counsel for the petitioner has submitted that regarding the said prayer, the petitioner does not press the present petition as well as the representation and accordingly, he seeks to withdraw the present petition with respect to the said prayer.

In view of the statement made by the learned counsel for the petitioner, the prayer of seeking action against the private respondents is dismissed as withdrawn.

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The second prayer made in the representation is for protection of life and liberty of the petitioner, regarding which the learned counsel for the petitioner has highlighted the details mentioned in the representation dated 02.12.2021 (Annexure P-1) to show that certain instances have taken place on the basis of which the petitioner is apprehending danger to his life and liberty.

A perusal of the representation (Annexure P-1) would show that it has been stated by the petitioner that the petitioner had tried to resolve the dispute between Harjeet Kaur and her husband, namely, Kulvir Singh and, thereafter, the said Harjeet Kaur had filed a criminal writ petition for protection of life and liberty which is pending but, however, the private respondents are under the impression that it is the petitioner who had instigated the said Harjeet Kaur to file the above-said case and on account of which, acts have been committed by the said private respondents which have caused apprehension in the mind of the petitioner with regard to his life and liberty.

Learned counsel for the petitioner has submitted that he would be satisfied in case respondent No.2-Senior Superintendent of Police, Patiala, District Patiala is directed to look into the representation (Annexure P-1) on the limited aspect of threat perception to the petitioner and take an appropriate action on the same.

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

On advance notice, Mr. Sukhbeer Singh, AAG, Punjab, 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

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No.2-Senior Superintendent of Police, Patiala, District Patiala, 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, Patiala, District Patiala to look into the representation dated 02.12.2021 (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.

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

(VIKAS BAHL)
JUDGE

December 15, 2021.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No