

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

CRWP-11932-2021

Date of decision : 20.12.2021

Shamsher Singh @ Shera

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms.Jaspreet Kaur, Advocate for
Mr.Surmeet Singh Sandhu, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a Criminal Writ Petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus for directing official respondents to protect life and liberty of the petitioner from the hands of the private respondents.

Learned counsel for the petitioner has submitted that in the present case, a representation dated 07.12.2021 (Annexure P-2) has been submitted to respondent no.2 seeking protection to the petitioner and in the said representation, it has been stated that on 18.06.2021, a friend of the petitioner was killed by the private respondents by using deadly weapons including guns and the petitioner is one of the witness of the said occurrence and on the statement of father of the deceased, an FIR bearing no.71 dated 19.06.2021 under Sections 302, 34, 120-B IPC, Section 25, 27

registered. One Daljit Singh @ Shera took responsibility of that murder by a facebook post and later he was arrested by the police. The petitioner has received several threats from the respondents to the effect that they will kill the petitioner in the same manner as they had killed his friend. Several threatening messages have been sent on facebook and other social media to the petitioner and there are live videos regarding the same. It is mentioned that the petitioner had earlier also given two representations.

Notice of motion.

On asking of the Court, Mr.Sarabjit Singh Cheema, AAG, Punjab, appears and accepts notice on behalf of respondents no.1 to 3.

A perusal of the representation dated 07.12.2021 (Annexure P-2) and the facts stated therein *prima-facie* would show that there is a serious threat to the life of the petitioner.

Thus, the present petition is disposed of with a direction to respondent no.2-Senior Superintendent of Police, Kapurthala, to consider the representation dated 07.12.2021 (Annexure P-2) as expeditiously as possible and in any case, within a period of 10 days from the date of receipt of certified copy of the present order and after seeing the threat perception to the petitioner, shall take appropriate action, in accordance with law.

(VIKAS BAHL)
JUDGE

December 20, 2021

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No