

109

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

CRWP-315-2022

Date of decision : 17.01.2022

Nirmal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ghulam Nabi Malik, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

In the present case, two primarily prayers have been made. First prayer made is for directing respondent Nos.2 and 3 to transfer the enquiry with regard to representation dated 20.12.2021 (Annexure P-6) to some senior police official.

Learned counsel for the petitioner has submitted that he does not wish to press the first prayer made in the petition and thus, seeks permission of this Court to withdraw the present petition qua first prayer.

Ordered accordingly.

Second prayer which has been made in the present Criminal Writ Petition is for the issuance of directions to respondent Nos.2 and 3 to

protect the life and liberty of the petitioner, regarding which, the petitioner had submitted a representation dated 20.12.2021 (Annexure P-6) to respondent No.2-Senior Superintendent of Police, Malerkotla. In the said representation, certain averments have been made, on the basis of which, learned counsel for the petitioner has submitted that there is reasonable apprehension to the life and liberty of the petitioner.

Learned counsel for the petitioner has submitted that in the said representation, a prayer has been made to take action against the private respondents and has submitted that the petitioner is not pressing for the said part of the prayer in the representation and the petitioner would be satisfied in case, the present Criminal Writ Petition is disposed of with direction to respondent No.2 to look into the representation dated 20.12.2021 (Annexure P-6) on the limited aspect of protection of life and liberty of the petitioner and after considering the threat perceptions to the petitioner, takes appropriate action in accordance with law.

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

On advance notice, Mr. Sarabjit S. Cheema, AAG, 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 20.12.2021 (Annexure P-6) 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, to look into the representation dated 20.12.2021 (Annexure P-6) 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.

17.01.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No