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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-710-2022

Date of Decision: 25.01.2022

Harpal Singh

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Gulzar Mohammed, Advocate, for the petitioner.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 226 of the Constitution of India seeking a direction to respondent No.2 to protect the life and liberty of the petitioner from respondents No.3 to 5.

The learned counsel for the petitioner has submitted that in the present case the petitioner had purchased a property and house from one Sadhu Ram son of Hans Raj and after the purchase he had constructed residential house of the property. However, two persons namely, Ajit Singh and Nachattar Singh, respondents No. 4 and 5 who have no concern with the property possessed by the petitioner, have an evil eye on the property of the petitioner and they are in collusion with SHO, Mehatpur and he has also arrayed him a party in the present case as respondent No.3. He further

submitted that the aforesaid persons are harassing the petitioner in different manner because the aforesaid Ajit Singh has filed a civil suit against the petitioner which is pending in the Civil Court and they want the petitioner to admit his claim in the civil suit. The said civil suit filed by Ajit Singh is false and frivolous and that he is having links with the police officials. He further submitted that he has moved an application to the Senior Superintendent of Police, Jalandhar (Rural) vide Annexure P-3 dated 30.11.2021 but no action has been taken in this regard. He further submitted that protection may be granted to the petitioner in this regard.

I have heard the learned counsel for the petitioner.

A perusal of the petition as well as the representation Annexure P-3 would show that the allegations made by the petitioner are totally vague and evasive. Apart from the same, there is nothing on record to show specifically as to how there is a threat to the petitioner from the private respondents except for making bald averments in the petition and the representation. One incident of 23.03.2021 has been mentioned by the petitioner in para No.6 of the representation as well as in para No. 6 of the petition in which it is stated that the petitioner was illegally detained by the SHO and forced to sign blank papers regarding the property owned by the petitioner and was not allowed to go. However, after 9 months the present petition has been filed. On a specific query put to the learned counsel for the petitioner as to whether he has taken any any remedial measures after the aforesaid alleged incident on 23.03.2021 by filing any civil suit or moving any complaint to the police etc, the learned counsel for the petitioner has stated that no action was taken by the petitioner in this regard.

In case, the petitioner has any cause of action with regard to any

criminal offence being committed by the private respondents, then the appropriate remedy available with the petitioner would have been to file appropriate application before the learned Illaqua Magistrate/concerned Court in view of the law laid down by the Hon'ble Supreme Court in '***Sakri Vasu Vs. State of U.P. And others'*** [2008(1) RCR (Criminal) 392] A writ petition cannot be filed at the drop of hat by making vague, evasive and bald allegations.

Finding no ground in the present petition and being devoid of merit, the same is hereby dismissed.

25.01.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No