

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(111)

CRWP-1867-2022

Date of decision: - 03.03.2022

Sarwan Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. T.P.S. Bhatti, Advocate, for the petitioner.

Mr. Sarabjit S. Cheema, 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 writ in the nature of mandamus directing official respondent Nos.2 and 3 to protect the life and liberty of the petitioner and his family members.

Learned counsel for the petitioner has submitted that in the present case, the petitioner has given a representation dated 25.01.2022 (Annexure P-1) to respondent No.2, in which, he has given the facts, which shows that there is apprehension to the life and liberty of the petitioner. It is submitted that the petitioner will be satisfied in case the present petition is disposed of with a direction to respondent No.2 to consider the representation dated 25.01.2022 (P-1) only on the limited

aspect of threat to life of the petitioner and after considering the threat perception, takes appropriate action thereon, in accordance with law.

Notice of motion to the respondents.

On advance notice, Mr. Sarabjit Singh, AAG, Punjab, accepts notice on behalf of respondents No.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, Kapurthala, 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, Kapurthala to look into the representation dated 25.01.2022 (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.

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 other case.

March 03, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No