

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

108

**CRM-M-19244 of 2022
Date of decision : 7.5.2022**

Jaswinder Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present : Mr. Goldy Jakhar, Advocate, for
Mr. J.S. Dhaliwal, Advocate, for the petitioner

Mr. Sarabjit S. Cheema, AAG, Punjab

VIKAS BAHL, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. praying for issuance of directions to respondent No.2 - SSP Fazilka, to protect the life and liberty of the petitioner from the hands of private respondents No. 6 to 12, as they are roaming around freely; and the petitioner has been threatened with dire consequences by respondent No.4-Zora Singh, DSP, Fazilka and respondent No.5 Gurinder Singh, ASI, Reader to DSP Fazilka.

Learned counsel for the petitioner has submitted that in the present case, the petitioner had submitted representation dated 21/12/2021 (Annexure P-2) to respondent No.2, in which it has been detailed that the private respondents against whom FIR No. 294 dated 11.11.2021, under Sections 307, 341, 323, 148 and 149 IPC and Sections 25 and 27 of Arms Act, 1959, at Police Station Sadar, Fazilka, has been registered, are threatening the petitioner and even respondents No.5 and 4, who are police officials, are made parties by name and have already called up the petitioner on his mobile number and are threatening him to compromise the matter.

Learned counsel for the petitioner has further submitted that in the representation dated 26/4/22, he has made specific allegations against the police officials also and has submitted that he would be satisfied in case respondent No.2 is directed to look into the representation dated 26/4/2022 (Annexure P-2) and after considering the same, to take appropriate action, in

accordance with law.

Notice of motion to respondents No.1 to 3 only.

On advance notice Mr. Sarabjit S. Cheema, AAG, Punjab appears and accepts notice on behalf of respondents No.1 to 3 and has submitted that he is fully prepared to argue the matter and to assist this Court. He has opposed the present petition and has submitted that there is no prima facie proof with respect to the allegations against the police officials. However, it is submitted that the State would have no objection in case the respondent No.2 - SSP Fazilka looks into the said representation.

Keeping in view the above facts and circumstances, more so, the fact that there are allegations which have been levelled against the police officials, the present petition is disposed of with a direction to respondent No.2 – SSP, Fazilka to look into the representation dated 26/4/22 (Annexure P-3) and after considering the entire matter, 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 petitioners and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation.

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

(VIKAS BAHL)
JUDGE

7.5.2022

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No