

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.259

CRWP-4668-2021(O&M)
Date of decision: 13.07.2022

MANISH AND ANR

....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: None for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

* * *

VINOD S. BHARDWAJ, J. (Oral)

Instant criminal writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus thereby directing the respondent No.2 protect the life and liberty of the petitioners by providing adequate security/police protection to the petitioners and also directing the respondent No.4 to 7 not to interfere in the personal lives and liberty of the petitioners and further directing the respondent No.2 not to allow/let the respondent No.4 to 7 or anybody else to interfere with the liberty and the lives of the petitioners or to harass them in any manner against the wishes of the petitioners or to cause any detriment to the petitioners in any manner.

A status report by way of affidavit of Harsimrat Singh (PPS) Assistant Commissioner of Police Central, Jalandhar has been filed on behalf of respondents No.1 to 3.

The relevant extract thereof reads as under:-

“That during enquiry of said complaint it transpired that Nandita i.e. petitioner no.2 is leveling false allegations against her mother-in-law Neha regarding theft of Rs. 90,000/- by her. The petitioner no.2 failed to produce any evidence regarding said theft. Moreover, it has come on record that present petitioners are living at Jalandhar whereas Neha, mother-in-law of petitioner no.2 is living at Ludhiana in her parental home since the last few months and she is getting her medical treatment from Ludhiana. Thus, as such allegations leveled by petitioner no.2 against her mother-in-law Neha and her brothers i.e.-respondent no. 4 to respondent no.6 were found to be false. Thereafter, ASI Jasbir Singh vide his report dated 04-06-2021 recommended to close the said complaint and forwarded his report to SHO P.S. Rama Mandi Jalandhar.

That SHO P.S. Rama Mandi approved the said report and forwarded the same to answering respondent and answering respondent after approving the said report forwarded the same to Commissioner of Police and thereafter said complaint was closed.

That there is no threat to life and liberty of petitioners in the hands of private respondents. It is the duty of the police to take care of the life and liberty of its citizens, so answering respondent undertakes to provide adequate protection as and when petitioners approach the answering respondent incase the petitioners have any actual threat perception.

That no representation dated 18.05.2021 has been received in the office of Commissioner of Police, Jalandhar and now no complaint is pending before answering respondent qua petitioner and private respondents. “

A reading of the same clearly shows that there is no threat to the life and liberty of the petitioners at the hands of private respondents and no complaint furnished by the petitioners is pending.

Besides, there has been no representation on behalf of the petitioners on the dates when the case was taken i.e. on 09.06.2021,

17.11.2021, as well as on 11.02.2022. There has been no representation even today.

In view of the facts noticed above, the present petition is dismissed for non-prosecution.

13.07.2022
Amandeep

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No