

Sr. No. 120

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

CRWP No.5305 of 2022

Date of Decision: 07.07.2022

Sanjay Gupta

.....Petitioner

Vs.

State of Haryana & ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- None for the petitioner.

Mr. Ranvir Singh Arya, Addl. A.G., Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

Matter was called twice but nobody has caused appearance on behalf of the petitioner.

On 01.06.2022, when this matter came up for hearing, this Court had directed the State counsel to seek instructions as to whether any action has been taken on the representation filed by the petitioner.

Learned State counsel, on instructions from ASI Mahipal, has submitted that it is not only one representation but a number of complaints were earlier received by the police filed by both the parties and the matter was also inquired into. He has submitted that so far as the incident stated in representation (Annexure P-1), which is stated to be pertaining to the incident dated 23.04.2022, it was found that no theft had taken place at all and in fact, it is not the first complaint but earlier also number of complaints were filed and the petitioner and respondents No.6 are real brothers and

there is a dispute inter se between them and various allegations pertaining to theft are being repeatedly made. He has submitted that it is not correct that the complaint of the petitioner has not been looked into, whereas on the contrary, the police has already considered the complaints filed by the petitioner and also by respondent No.6. He has, therefore, submitted that the present petition deserves to be dismissed.

I have heard the learned counsel for the State.

The prayer which is made in the present petition is pertaining to the protection of life and liberty and also to take action against respondent No.6 by lodging an FIR. So far as the second prayer of the petitioner is concerned, the same cannot be granted, in view of the specific stand taken by learned State counsel since the allegation of theft was found to be baseless on the basis of inquiry conducted by the police. So far as the first prayer of the petitioner with regard to the protection of life and liberty is concerned, the concerned Superintendent of Police i.e. respondent No.3 shall assess the threat perception of the petitioner and in case there is any need for grant of protection then the same shall be considered and decided by the Superintendent of Police in accordance with law.

The petition stands disposed of accordingly.

07.07.2022

monika

**(JASGURPREET SINGH PURI)
JUDGE**

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