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

CRM-M-27512-2022

Date of decision : 30.06.2022

Mukhtar Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Prateek Sodhi, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. in which several prayers have been made.

Learned counsel for the petitioner has submitted that the petitioner is restricting his prayer in the present case to the protection of his life and liberty. It is further submitted that even in representation/complaint dated 15.06.2022 (Annexure P-2), although, several prayers have been made but the petitioner would be limiting his prayer to the protection of his life and liberty. It is contended that in representation/complaint dated 15.06.2022 (Annexure P-2), it has been mentioned that on 14.06.2022, the petitioner and his son were present in the Haveli when the petitioner was attacked and on account of the said fact, there is reasonable apprehension in

the mind of the petitioner with regard to his life and liberty. With regard to other averments/prayers, the petitioner has submitted that he would seek alternative remedy available to him.

Learned counsel for the petitioner has further submitted that the petitioner would be satisfied in case, the present petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, to look into the representation/complaint dated 15.06.2022 (Annexure P-2) only with respect to protection of life and liberty of the petitioner and to take appropriate action in accordance with law.

Notice of motion to respondent Nos.1 to 4 only.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab appears and accepts notice on behalf of respondent Nos.1 to 4 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, looks into the representation/complaint dated 15.06.2022 (Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioner and takes appropriate action in accordance with law. He has further submitted that in the present case, cancellation report has been prepared and the final approval of the same is awaited. It is further contended that the present petition filed by the petitioner with a prayer seeking proper investigation and change of investigation deserves to be rejected.

This Court has heard the learned counsel for the parties and has perused the paper book.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.2-Senior

Superintendent of Police, to look into the representation/complaint dated 15.06.2022 (Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioner and after making necessary enquiries and assessing the threat perception to the petitioner, respondent No.2 shall 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 petitioner and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation with a limited prayer aforesaid.

In view of what has been observed above, the present 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 case.

30.06.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No