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

CRWP-6203-2022

Date of decision : 29.06.2022

Harjit Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amandeep Singh Manaise, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of direction to the official respondent Nos.1 to 3 to protect the life and liberty of the petitioners which is stated to be endangered at the hands of respondent Nos.4 and 5 and regarding which, representation dated 28.05.2022 (Annexure P-8) has been submitted by the petitioners.

Learned counsel for the petitioners has submitted that the petitioners have given a representation dated 28.05.2022 (Annexure P-8) to the official respondents wherein the averments have been made to the effect that the petitioners are old persons aged about 63 and 60 years respectively and that petitioner No.2 is suffering from breast cancer and son of the

petitioners, who is a Government Doctor was married to Navroop Kaur and, thereafter, son of the petitioners went to U.K. for higher studies and the said Navroop Kaur started living at her parental house in Gurdaspur and the said Navroop Kaur had filed a complaint dated 07.12.2021 and another complaint dated 11.12.2021 to SSP, Gurdaspur which were clubbed together and after enquiry was conducted by DSP, City Gurdaspur, he had submitted a report to the effect that no offence was made out and the said report was also approved by SSP, Gurdaspur and thereafter, said Navroop Kaur had filed another complaint dated 08.03.2022 to SSP, Gurdaspur on the same set of allegations which were also enquired into and as per the report dated 15.04.2022 by SP (HQ), Gurdaspur, again no offence was found to have been committed and the said report was approved by SSP, Gurdaspur and thereafter, another complaint dated 07.03.2022 had been filed, in which, AIGP, NRI Wing, Patiala had issued summons to the petitioners. It has been averred that a third enquiry has been conducted in violation of orders passed by DGP, Punjab dated 01.04.2008.

Learned counsel for the petitioners has further submitted that the petitioners would be satisfied in case, the present Criminal Writ Petition is disposed of with a direction to the Inspector General of Police, Amritsar Range to take into consideration the representation dated 28.05.2022 (Annexure P-8) and take a final decision upon the same with respect to the third enquiry which has been initiated against the present petitioners.

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 has

submitted that Inspector General of Police, Amritsar Range would look into representation dated 28.05.2022 (Annexure P-8) and would take a final decision on the same as expeditiously as possible.

Keeping in view the abovesaid facts and circumstances of the present case, the present Criminal Writ Petition is disposed of with a direction to the Inspector General of Police, Amritsar Range, to look into the representation dated 28.05.2022 (Annexure P-8) and to take a final decision upon the same in accordance with law as expeditiously as possible preferably within a period of three weeks from the date of receipt of certified copy of the present order.

It is made clear that this Court has not made any observations with respect to the merits of the controversy and it would be open to the Inspector General of Police, Amritsar Range, to look into the averments made in the representation dated 28.05.2022 (Annexure P-8) and take decision in accordance with law.

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

29.06.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**