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

CRWP-6631-2022

Date of decision : 12.07.2022

Nachhattar Singh Kang

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of an appropriate writ, order or direction to respondent Nos.1 to 3 to protect the life and liberty of the petitioner and his family members from the hands of private respondents who in connivance with each other and their musclemen are harassing and threatening the petitioner and his family members.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 21.06.2022 (Annexure P-5) to respondent No.4, in which, it has been specifically stated that the petitioner's clerk was injured and accordingly, FIR No.12 dated 13.01.2022 under Sections 307, 323, 120-B, 148, 149 of the Indian Penal Code, 1860 at Police Station

Lambi was registered and thereafter, the petitioner has been receiving calls from various numbers threatening him to withdraw the said FIR and the private respondents are also sitting in front of their office so as to cause harm to the petitioner and his family members and his employees.

Learned counsel for the petitioner has further submitted that the petitioner would be satisfied at this stage in case, the present Criminal Writ Petition is disposed of with direction to respondent No.3-Senior Superintendent of Police, to look into the representation dated 21.06.2022 (Annexure P-5) as expeditiously as possible and take appropriate action in accordance with law on the aspect of protection of life and liberty of the petitioner.

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

On advance notice, Mr. R.S. Khaira, AAG, Punjab appears and accepts notice on behalf of respondent Nos.1 to 4 only and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.3-Senior Superintendent of Police, looks into the representation dated 21.06.2022 (Annexure P-5) only on the aspect of protection of life and liberty of the petitioner and takes appropriate action in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.3-Senior Superintendent of Police, to look into the representation dated 21.06.2022 (Annexure P-5) only on the aspect of protection of life and liberty of the petitioner as expeditiously as possible preferably within a period of two

weeks from the date of receipt of certified copy of the present order and after making necessary enquiries and assessing the threat perception to the petitioner, respondent No.3 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.3 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 Criminal Writ 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.

12.07.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No