

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRWP- 7540 of 2022

Date of Decision:06.08.2022

Balveer Singh

---Petitioner

versus

Punjab State Scheduled Castes Commission, Punjab and others

---Respondents

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

Present: Ms. Neha Jaggi, Advocate
for the petitioner

Ms. Amarjit Kaur Khurana, DAG, Punjab

VINOD S. BHARDWAJ, J. (ORAL)

The present criminal writ petition under Article 226 of the Constitution of India has been filed for issuance of directions to the respondents No. 2 and 3 for protection of life and personal liberty of the petitioner and his family members at the hands of private respondents. Furthermore, prayer for directing respondents No. 2 to 3 to consider and decide the representation submitted by the petitioner.

As per the contention raised by counsel for the petitioner, the daughter of the petitioner was harassed by respondent No. 4 in the year 2009 qua which a written complaint was submitted to the police, however, no action was taken thereupon by the Investigating Agency. Even though the said respondent No. 4 had tried to administer intoxicant to his daughter in order to commit physical assault upon her. She contends that daughter of the petitioner was thereafter discharged on 05.10.2009. However, in the year 2013, when the daughter of the petitioner was in school, her condition deteriorated. When she reached back home, she was administered some medicine by his wife (mother of the deceased), as a result thereof, her condition deteriorated further. She was taken to the hospital whereafter she died. The inquest proceedings were initiated under Section 174 of the Code

of Criminal Procedure. Learned counsel contends that petitioner suspects that respondent No. 4 had administered some intoxicant to his daughter of in the year 2013 as result whereof, her condition deteriorated and that the matter regarding murder of his daughter has not been duly investigated by the police. A complaint in this regard was also furnished with the Punjab State Scheduled Castes Commission, however, no action has been taken thereon.

I have heard counsel for the petitioner and have gone through the records of the case.

The scope of the petition before this Court is only regarding protection of life and liberty of the petitioner. There is no material on record on the basis whereof it can be presumed that any imminent threat or danger has been extended by any person to the petitioner. The last of the incidents which are alleged against the respondents pertain to the year 2009. Even the representation relied upon by the petitioner pertains to the year 2013. It is also not disputed that the incident is of the year 2009 and that the police did not register an FIR and a private complaint was instituted against respondent No. 4. The said proceedings ended up in acquittal of respondent No. 4.

It, thus, seems that the present petition has been filed merely on suspicion and apprehension in order to harass the private respondents with no substantive proof. The grievance, if any, qua the investigation is not within the scope of the present petition.

The same is accordingly dismissed.

(VINOD S. BHARDWAJ)
JUDGE

06.08.2022

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No