

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

**CRM-M-38033-2022
Date of Decision: August 25, 2022**

Gurmail Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Arshit Goel, Advocate,
for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

SANJAY VASHISTH, J.

By way of present petition, filed under Section 482 Cr.P.C., the petitioner is seeking directions to respondent Nos. 1 to 3 to constitute a Special Investigating Team or depute some senior official or any other independent agency to inquire and investigate the matter. Further prayer made is for registration of the FIR against respondent Nos. 4 and 5, inasmuch as, no action is stated to have been taken till date on the representation/complaint, dated 25.03.2022 (Annexure P-6), filed by the petitioner against them. In the second part of the prayer, the petitioner has sought directions to respondent Nos. 1 to 3 to ensure protection of life and liberty of the petitioner and his family members, apprehending danger at the hands of respondent Nos. 4 and 5.

At the very outset, learned counsel for the petitioner seeks to withdraw first part of the prayer made in the present petition, i.e. constituting Special Investigating Team (SIT) or to depute some senior official or any

other independent agency to inquire into and investigate the matter by way of registration of an FIR against respondent Nos. 4 and 5, with liberty to approach the appropriate Court/Forum, under the relevant provisions of law.

However, learned counsel for the petitioner submits that there is imminent threat to the life and liberty of the petitioner and his family members at the hands of respondent Nos. 4 and 5, therefore, he would restrict his prayer if the representation qua protection to his life and liberty is decided by respondent No. 2 at the earliest.

In view of the aforementioned submission qua the first prayer mentioned here-in-above, the present petition is dismissed as withdrawn with liberty aforesaid. However, the petitioner would submit a fresh representation before respondent No. 2 and the same is expected to be decided by respondent No. 2 either himself or by deputing some police official, as he may deems fit, to examine the issue of threat perception as may be pointed out by the petitioner in the representation. If any such representation is made by the petitioner, it would be highly appreciated if the same is decided expeditiously preferably within three weeks of filing of the same.

Petition stands disposed of in the above terms.

(SANJAY VASHISTH)
JUDGE

August 25, 2022

P Kapoor

Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**