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

1. CRM-M-42819-2022
Date of decision : 16.09.2022
Darshan Singh ...Petitioner

Versus

State of Punjab and others ...Respondents

2. CRWP-8956-2022
Date of decision : 16.09.2022
Darshan Singh ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Munish Gulati, Advocate for the petitioner.
(In both the cases)

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

By this common order, two petitions bearing No.CRM-M-42819-2022 and CRWP-8956-2022 shall stand disposed of.

First petition i.e. CRM-M-42819-2022, has been filed by the petitioner for issuance of directions to respondent Nos.2 and 3 for taking action on FIR No.12 dated 29.01.2022 registered under Sections 325/323/34 of the Indian Penal Code, 1860 at Police Station Sadar Kotkapura, District Faridkot. Second petition i.e. CRWP-8956-2022 has been filed for issuance of directions to the official respondents to protect the life and liberty of the petitioner from the hands of private respondents who are his son and daughter-in-law.

Learned counsel for the petitioner, in view of law laid down by Hon'ble the Supreme Court of India in case titled **Sakiri Vasu Vs. State of U.P. and others**, reported as **2008(2) SCC 409** and in **M. Subramaniam and another Vs. S. Janaki and another, Criminal Appeal No.102 of 2011, decided on 20.03.2020**, seeks permission of this Court to withdraw the first petition i.e. CRM-M-42819-2022 with liberty to pursue alternative remedies in accordance with law.

In view of the above, the first petition i.e. CRM-M-42819-2022 is dismissed as withdrawn with liberty aforesaid.

In the second petition bearing No.CRWP-8956-2022, prayer has been made with respect to protection of life and liberty of the petitioner, regarding which, the petitioner has moved a representation dated 05.09.2022 (Annexure P-2) to the Senior Superintendent of Police-respondent No.2

Learned counsel for the petitioner has submitted that a perusal of the said representation would show that there is reasonable apprehension in the mind of the petitioner with respect to his life and liberty.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case the petition bearing No.CRWP-8956-2022 is disposed of with direction to respondent No.2 to look into representation dated 05.09.2022 (Annexure P-2) on the limited aspect of protection of his life and liberty and after seeing threat perception, take appropriate action in accordance with law.

Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of the respondent Nos.1 to 3 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 dated 05.09.2022 (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.

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

With respect to the prayer made by the petitioner in petition bearing No.CRWP-8956-2022 which is for protection of life and liberty of the petitioner, the same is disposed of with direction to respondent No.2-Senior Superintendent of Police, to look into the representation dated 05.09.2022 (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.

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

16.09.2022

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No