

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

CRWP-9383-2022

Date of Decision: September 29, 2022

Kanwaljeet Singh

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Himani Kapila, Advocate for the petitioners.

Mr. Jaswinder Singh Arora, DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in the instant petition, filed under Article 226 of the Constitution of India, is for issuance of directions to respondents Nos. 2 to 4, to provide protection of life and liberty to the petitioner and his family members at the hands of respondent Nos. 5 to 16.

2. Learned counsel for the petitioners submits that petitioner had approached this Court earlier also for the same purpose, wherein vide order dated 09.01.2019 passed in CRM-M-38442-2018, (Annexure P-1), direction was issued to ensure due protection of life and personal liberty of the petitioner at the hands of private respondents. Now respondent No. 5- Sukhdev Singh @ Happy, who is involved in many criminal cases which are highlighted in para 4 of the present petition, has again started threatening the petitioner. Hence, he is seeking protection in that regard and have approached this Court by way of filing the instant petition.

3. Notice of motion.

4. On the asking of the Court, Mr. Jaswinder Singh Arora, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent Nos. 1 to 4 (State).

5. In view of the above, the present petition is disposed of with a direction to respondent No. 3 – Senior Superintendent of Police, Gurdaspur, District Gurdaspur, to look into the truthfulness of the representation dated 19.09.2022 (Annexure P-2) *qua* threat perception, if any, and take necessary steps, if any required, in accordance with law, to ensure that the life and liberty of the petitioner is not jeopardized at the hands of the private respondents and to take appropriate action fully in accordance with law.

Disposed of.

(SANJAY VASHISTH)
JUDGE

September 29, 2022

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

Whether Reportable: **YES/NO**

111 CRM-W-1409-2022

IN CRWP-9383-2022

KANWALJEET SINGH V/S STATE OF PUNJAB AND OTHERS

-:-

Present: Ms. Himani Kapila, Advocate,
for the applicant-petitioner.

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

-:-

This is an application, under Section 482 Cr.P.C., seeking recalling of order dated 29.09.2022, to the extent of deleting the words “*who have married against the wishes of private respondent Nos. 5 to 16*”, appearing in para No. 1 of the said order.

Learned counsel for the applicant/petitioner submits that, in fact, main petition was not filed by a married couple, seeking protection of life and liberty and it appears that due to inadvertent typographical mistake, the aforementioned words/line was incorporated in para No. 1 of the order dated 29.09.2022. Therefore, the same needs to be corrected.

Notice of the application.

Mr. J.S. Arora, Deputy Advocate General, Punjab, who is present in the Court, accepts notice. Complete copy of the application has been supplied to him by learned counsel for the applicant/petitioner, today in the Court itself. After going through the contents of the application, learned State counsel has no objection in allowing the prayer made in the application.

In view of the averments made in the application and the respective stand taken by learned counsel for the parties, it is ordered that the words, i.e. “*who have married against the wishes of private respondent Nos. 5 to 16*”, be not treated as part of para No. 1 of the order

dated 29.09.2022, passed in CRWP-9383-2022, titled as “Kanwaljeet Singh v. State of Punjab and others” and Para No. 1 of the said order will now be read as under:-

“1. Prayer in the instant petition, filed under Article 226 of the Constitution of India, is for issuance of directions to respondents Nos. 2 to 4, to provide protection of life and liberty to the petitioner and his family members at the hands of respondent Nos. 5 to 16.”

After carrying out necessary correction in the order dated 29.09.2022, passed in CRWP-9383-2022, as also appending this order at the bottom, the same be uploaded on the webportal of this Court, immediately.

Application stands disposed of in the above terms.

**(SANJAY VASHISTH)
JUDGE**

October 18, 2022
Pkapoor