

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

240

**CRM-M-29823 of 2016
Date of Decision: 13.09.2022**

Pardeep Gabbar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

NAMIT KUMAR, J (ORAL)

This petition has been filed under Section 482 Cr.P.C. for issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioner and his family members at the hands of respondents No.4 and 5.

In pursuance to the notice of motion order, status report by way of affidavit of Sudhanshu Shekhar Srivastava, IPS, Commissioner of Police, Amritsar City, has been filed by learned State counsel, wherein relevant portion of paras 7 and 8 reads as under:-

“However, it is pertinent to mention that the petitioner is holding an arms license for a Revolver .32 bore and 12 bore Gun for his personal security. Therefore, the representation (Annexure P-6) of the petitioner has been consigned to office and a detailed report has been submitted in this regard to the Assistant Registrar (Criminal) Punjab and Haryana High Court, Chandigarh vide this office Memo No.2249-LIT dated 05.04.2018.

That it is submitted that keeping in view the facts and submissions made here-in-above, it is evident that a detailed and thorough enquiry has been conducted and the relief sought, read with order dated 21.03.2017 passed in CRM No.M-9529 of 2017. A detailed reply has been submitted to the Assistant Registrar (Criminal) of this Hon'ble High Court (Annexure R-1).”

In the report dated 05.04.2018 (Annexure R-1), it has been stated as under:-

“The enquiries regarding complaints said to be filed by petitioner as mentioned in the representation (Annexure P-6) were got conducted and the same were filed as no any truth was found in complaints. There is no any threat to the petitioner from any terrorist or organization. However, petitioner is holding arms license Revolver 32 and Gune 12* for his security. Therefore no any further action is required to be taken on the representation (Annexure P-6) of the petitioner and the same may be filed.*

As per enquiry report of ACP North, Amritsar and perusal of the record of this case, it has been found that now there is no need for any further action on the representation (Annexure P-6) of the petitioner. In this regard speaking order has been passed and file consigned to office record. This is for your kind information, please.

*Sd/- S.S. Srivastava, IPS
Commissioner of Police,
Amritsar City 05/04/2018”*

Thereafter, the matter came up for hearing before the Court on 08.10.2018, when the following order was passed:-

“Proxy counsel for the petitioner seeks time. Perusal of Annexure R-1, it is evident that office of the Commissioner of Police, Amritsar City has elaborately considered the petitioner's representation so also on what ground petitioner is not entitled for protection both on factual aspect read with petitioner is holding arms licence revolver 32 and gun 12* for his security.*

In order to give one opportunity, list this matter on 16.10.2018.

If there is no representation on behalf of the petitioner, petition will be decided.”

Again on 16.10.2018, request for adjournment was made and the following order was passed:-

“On written request, adjourned to 15.12.2018.

Having regard to the order dated 08.10.2018, if the matter is not argued on the next date of hearing, petition would be dismissed with reference to Annexure R-1.”

Today also, no one is present on behalf of the petitioner.

Keeping in view the stand taken in the status report, as has been noticed above from where it is clear that the representation of the petitioner dated 02.03.2017 as Annexure P-6 (mentioned in R-1) has already been considered and consigned to the office and detailed report dated 05.04.2018 has been submitted, therefore, no further orders are required to be passed in the present petition.

Petition is disposed of accordingly.

13.09.2022

D.Bansal

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No