

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(123)

CRWP-11335-2022

Date of decision: - 05.12.2022

Kamaljit Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sarfaraj Anjum Mor, Advocate,
for the petitioners.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a criminal writ petition under Articles 226/227 of the Constitution of India for the issuance of direction to official respondents to consider the representation on the aspect of protection of life and liberty of the petitioner and his family members, at the hands of private respondents.

Learned counsel for the petitioner has submitted that in the present case, the petitioner is a 63 year old retired Army official and has given a representation dated 11.11.2022 (Annexure P-3) to respondent No.5-The Senior Superintendent of Police, Tarn Taran, in which, he has

given the details with respect to the apprehension of life and liberty from the private respondents and would be satisfied in case the present petition is disposed of with a direction to respondent No.5-The Senior Superintendent of Police, Tarn Taran to consider the representation dated 11.11.2022 (P-3) only on the limited aspect of threat to life of the petitioner and after considering the threat perception, take appropriate action thereon.

Notice of motion to the respondents.

On advance notice, Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of respondents No.1 to 7 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.5-The Senior Superintendent of Police, Tarn Taran, looks into the representation (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner and takes appropriate action and the present order should not be construed in a way that restrains the police from proceeding in the FIR, which has been registered against the present petitioner, in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.5-The Senior Superintendent of Police, Tarn Taran, to look into the representation dated 11.11.2022 (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner and shall take appropriate action, in accordance with law.

In view of what has been observed above, the present criminal writ petition is disposed of in the abovesaid terms.

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

December 05, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No