

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

CRWP-396-2023

Date of Decision:07.02.2023

Amritpal Singh @ JB

...Petitioner

VS.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Manjinder Singh Saini, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

The petitioner has filed the present petition with a prayer to issue directions to respondents No.2 and 3 to provide adequate security/protection to the petitioner on each and every date of hearing of the Trial Court, in the trial arising out of FIR No.57 dated 04.04.2018 under Sections 307/427/148/149 of IPC and Section 25/54/59 of Arms Act P.S City, Hoshiarpur. The said trial is stated to be pending before the Court of Learned Sessions Judge, Hoshiarpur.

Learned counsel appearing on behalf of the petitioner submits that in the year 2011, the murder of father of Deepak @ Binni Gujjar the gangster took place in City Hoshiarpur and the petitioner was falsely implicated in murder case. However, he was ordered to be acquitted of the charges in the said murder case. Since then, Deepak @ Binni Gujjar, the gangster is keeping

grudge with the petitioner. In the year 2018, petitioner was attacked by the companions of Deepak @ Binni Gujjar and the petitioner had suffered two gun shot injuries. As a consequence, FIR No.57 dated 04.04.2018 under Sections 307/427/148/149 of IPC and Section 25/54/59 of Arms Act was registered at P.S City Hoshiarpur. Now the trial of the said case is pending in the Court of Sessions Judge, Hoshiarpur and the petitioner is pursuing the said matter. Learned counsel further submitted that in the year 2020, the CIA staff of District Police S.A.S Nagar had arrested the friends of gangster Deepak @ Binni Gujjar, who disclosed that they were planning to kill the petitioner and a news item was annexed as Annexure P-3. Learned counsel further submits that now Deepak @ Binni Gujjar is conspiring with certain criminals to kill the petitioner, so that he may not depose against him and is planning to eliminate him in Court premises. Consequently, the petitioner apprehends threat to his life on the day, when he will appear before the Court of Sessions Judge, Hoshiarpur.

A Status report has already been filed by way of affidavit of Deputy Superintendent of Police, Sub-Division City Hoshiarpur.

Learned State counsel submits that the SHO Police Station, Model Town, District Hoshiarpur has been instructed to keep a vigil at the house of the petitioner, so that no untoward incident might take place. The PCR Unit and the Duty Officer of the Police Station Model Town, Hoshiarpur, are also keeping vigil at the house of the petitioner.

Learned counsel further submits that adequate police protection shall be granted to the petitioner on each and every date of hearing for his appearance before the Court of learned Sessions Judge, Hoshiarpur in the trial proceedings arising out of FIR No.57 dated 04.04.2018 under Sections

307/427/148/149 of IPC and Section 25/54/59 of Arms Act. He shall be taken under police protection from his house to the Court premises and after the Court proceedings, he shall be dropped back at his home.

In view of the said statement made by learned State counsel, it is directed that the petitioner shall inform the SHO Police Station, City Hoshiarpur about the date of hearing before the Court of learned Sessions Judge, Hoshiarpur two days in advance. The SHO Police Station City, Hoshiarpur shall ensure that the petitioner is taken under police protection from his house to the Court premises and is dropped back at his house after the Court proceedings are over.

This order will be effective till the conclusion of the prosecution evidence before the Court of learned Sessions Judge, Hoshiarpur.

Learned Sessions Judge, Hoshiarpur is directed to expedite the trial in case FIR No.57 dated 04.04.2018 under Sections-307/427/148/149 of IPC and Section 25/54/59 of Arms Act registered at P.S City Hoshiarpur and to conclude the proceedings at the earliest. Registry of this court is directed to inform the concerned Court in this regard.

With these observations, the petition stands disposed of.

(N.S.SHEKHAWAT)
JUDGE

07.02.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No