

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

**CRWP-1717-2021 (O&M)
Date of Decision: 28.02.2023**

Subhash Chand Bandey ...Petitioner

vs.

State of Punjab and others ...Respondents

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

Present : Mr. R.S. Waraich, Advocate
for the petitioner.

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

N.S.Shekhawat J. (Oral)

The petitioner filed the present petition before this Court with a prayer to direct respondents No.1 to 3 to protect the life and liberty of the petitioner as he apprehended imminent threat at the hands of private respondents.

Learned counsel for the petitioner submitted that Rama Rani Bandey, wife of the petitioner had contested MC Elections in Mandi, Gobindgarh in the year 2015 against respondent No.7. Respondent No.7 along with other private respondents pressurized the wife of the petitioner not to contest the said election against them, otherwise she would face dire consequences. In spite of threat by the private respondents, she chose to contest the election unsuccessfully against respondent No.7. After respondent No.7 was elected as a Municipal Commissioner in the said election, the private respondents started threatening her and moved certain false complaints against them. Again in the year 2021, the wife of the petitioner again started campaigning for contesting the elections, but was again threatened. On

13.02.2021, when the petitioner was busy in the election campaign of his wife and was checking the arrangements of the election in the area, he was way-laid by the private respondents and was brutally beaten up and the entire occurrence was videographed. Moreover, the private respondents even clicked the photographs and also prepared videos, which were uploaded on social media subsequently. It is further submitted that the petitioner submitted a representation (Annexure P-3) to the police authorities and no action was taken on the same.

The State of Punjab has filed a detailed reply by way of affidavit of DSP, Circle Amloh, District Fatehgarh Sahib, on behalf of respondents No.1 to 3. Learned State counsel submits that even though, the date of representation is shown as 14.02.2021, but actually, it had been submitted on 23.02.2021 and a wrong date has been shown before this Court. Learned State counsel further submits that the enquiry has been held by the SP (PBI), Fatehgarh Sahib and after enquiry, a report dated 15.07.2021 has been submitted before respondent No.2. The inquiry officer has submitted that at about 8.30 p.m. on 13.02.2021, the petitioner was beaten up by respondents No.9, 10 and 12 and the offence under Sections 323/341 of IPC was made out against these respondents. Accordingly, FIR No.214, dated 06.08.2021, under Sections 323/341 of IPC had been registered against respondents No.9, 10 and 12 at Police Station Mandi, Gobindgarh. Learned State counsel further contends that the matter was enquired into further and respondents No.9, 10 and 12 were arrested in this case and have been released on bail. Learned State counsel has further assured the Court that the matter is being investigated fairly and an appropriate action will

be taken in accordance with law, without any influence from any corner.

In view of the submissions made by learned State counsel, I do not deem it appropriate to pass further orders and the petition is accordingly disposed off.

Needless to say that the petitioner is at liberty to avail his further alternative remedies in accordance with law.

All pending application(s), if any, are also disposed off.

28.02.2023
Hemlata

(N.S.SHEKHAWAT)
JUDGE

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