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

CRM-M-8073-2023(O&M)
Date of Decision: 19.05.2023

LOVE KUMAR

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Pawan Kumar, Sr. Advocate with
Mr. Surya Kumar, Advocate,
Mr. Vidvshi Kumar, Advocate &
Mr. Ravinder Chaudhary, Advocate
for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab
for respondents No.1 to 4/State.

HARSH BUNGER, J. (Oral)

1. The petitioner has filed the instant petition under Section 482 Cr.P.C. *inter alia* seeking a direction for registration of case FIR against respondents No.7 to 9 on the basis of the complaint(s) and video recording made by the petitioner (Annexures P-1 to P-9) and also the complaint dated 06.01.2023 (Annexure P-16) submitted to the Senior Superintendent of Police, Barnala. A further prayer has been made to protect the petitioner and his family by providing security and surveillance as they are living under fear and threat from the police officials and other unscrupulous elements.
2. Upon issuance of notice, status report was filed by way of affidavit dated 20.03.2023 of Ravinder Singh, PPS, Deputy Superintendent of Police, Tapa, District Barnala, on behalf of State of Punjab. The relevant

extract of the said report reads as under:-

“5. That it is further submitted that in view of the above said facts and circumstances FIR No. 12 dated 04.03.2023 under Section 386, 506, 120-B IPC, Section 7 Prevention of Corruption Act as amended by CPC Amendment Act 2018 (added later on vide DDR No. 17 dated 17.03.2023) Police Station Bhadaur was registered on the complaint of Love Kumar against 1) Sub Inspector Sukhjinder Singh (Previous SHO, Bhadaur), 2) ASI Manjit Singh, 3) Head constable Hardev Singh. That the FIR is under investigation and the needful will be done as per law strictly on merits.

6. That it is respectfully submitted that since the allegations were serious in nature and FIR is against the Police officials, therefore the Senior Superintendent of Police, Barnala has constituted a Special Investigation Team (SIT) consisting of Superintendent of Police (Detective) Barnala, Deputy Superintendent of Police, Sub- Division Tapa and the present SHO, Police Station Tapa vide order no. 154-57/reader dated 06.03.2023 and has directed to investigate the FIR strictly on merit.

7. That it is respectfully submitted that, in regard to the administrative action, all the three accused were transferred, to Police Lines at the initial stage when the inquiry was initiated and all three personnel have been suspended. That after registration of the FIR departmental proceedings have been initiated against all the accused.

8. That it is respectfully submitted that, in regard to the arrest of all the accused sincere efforts are being made to do the needful, however all three accused are absent from their duty from the day of registration of FIR. Infact the application for issuance of warrants has been also submitted.

9. That it is respectfully submitted that, with regard to the threat perception to the petitioner and compliance of the order dated 20.02.2023 passed by this Hon'ble Court, the Senior Superintendent of Police, Barnala has taken an immediate action and as an interim measure the Duty Officer/SHO Police Station Bhadaur, has been directed to go to the shop and house of the petitioner every day to check the

life and liberty of the petitioner and record DDRs regarding the same. That the patrolling party has also been directed to keep the Surveillance on the petitioner so that no harm is caused to him. That other than this the secret sources of the Local Police have also been activated and intimated, so that in case of any threat to the petitioner the inputs can be gathered and action can be taken as per law.”

3. Learned State counsel while referring to the status report submits that necessary action has been initiated in this matter. Learned State counsel has apprised this Court that respondents No.8 and 9 already stand arrested, whereas, respondent No.7 has been granted interim bail by a co-ordinate Bench of this Court.

4. I have heard learned counsel for the parties and perused the paper book and status report.

5. From the perusal of status report, this Court is satisfied that the necessary action on the complaint filed by petitioner has been initiated and it is expected that the proceedings shall be taken to its logical end. Thus, no further orders are required in this case.

6. At this stage, learned Senior Counsel for the petitioner submits that appropriate direction be passed for providing security guard to the petitioner as he apprehends threat to his life and liberty at the hands of respondents No.7 to 9.

7. Although, as per status report, action is stated to have been taken regarding threat perception to the petitioner, however, in case the petitioner still feels any apprehension regarding threat to his life and liberty, in that eventuality, the petitioner is granted liberty to submit a representation to the concerned Senior Superintendent of Police, indicating the threat perception to him. In case any such representation is made, the concerned Senior Superintendent of Police shall assess the threat perception to the

petitioner and take necessary action, if required, in accordance with law.

8. Disposed of in the aforesaid terms.

19.05.2023
Amandeep/*Apurva*

(HARSH BUNGER)
JUDGE

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