

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212 CRWP-2133-2023 (O&M)
Date of Decision: 08.08.2023

Bajinder Singh and others Petitioners
Versus
State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Anurag Arora, Advocate
for the petitioners.

Mr. Karunesh Kaushal, AAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C praying for issuance of direction to official respondent No. 2 to direct respondent No. 3 to conduct fair investigation on complaint dated 18.11.2022 (Annexure P-5) and to protect the life and liberty of the petitioners from the hands of private respondents.

2. On enquiry from the Court about the last time when the petitioners had faced actual threat perceptions, counsel for the petitioners on instructions submits that it had happened somewhere two months ago.
3. Given above, since as on date, there is no threat perception, therefore, the present petition is disposed of with following observations:

- (i) In case, the petitioners feel any fresh threat perceptions, they may communicate with the concerned SHO, who shall provide protection to them on day to day analysis.
- (ii) Liberty reserved to the petitioners to file a fresh representation to the concerned Senior Superintendent of Police/ Commissioner of Police, within fifteen days from today. If the petitioners file a representation within the above-mentioned time period of fifteen days, then, the same shall be decided by the concerned Senior Superintendent of Police/ Commissioner of Police, within two months. It is clarified that such order must be a reasoned order, and the same be communicated to counsel for the petitioners as well as representationists without delay.

4. Since one of the grievance of the petitioners is that the accused are threatening him to enter into a compromise. It is clarified that whenever in this case, where the petitioner is a complainant, any compromise is filed then the concerned Judicial Magistrate/Sessions Court shall interact with the petitioners to find out that there is no duress or pressure upon them.
5. Liberty is reserved to the petitioners to take appropriate legal remedies in accordance with law including filing the complaint under Section 156 (3) Cr.P.C. All pending miscellaneous applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

08.08.2023
Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No