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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-12599-2019 (O&M)

Date of decision: 18.07.2023

Rajinder Singh

...Petitioner

VS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Amit Sharma, Advocate,
For the petitioner.

Mr. Mohit Thakur, AAG, Punjab.

Mr. T.P.S.Tung, Advocate,
For respondents No.3 to 5.

ARUN MONGA, J. (ORAL)

Prayer in the petition is for issuance of necessary directions to respondent No.2-Senior Superintendent of Police (Rural), Mall Mandi, Amritsar to look into representation (Annexure P-1) and to protect the life and liberty of the petitioner from the hands of respondents No.3 to 5.

2. Learned State counsel, at the outset, submits that proceedings before this Court are rendered infructuous as there is no threat to the petitioner, in view of reply dated 22.10.2020 by way of affidavit of Gurpartap Singh Sahota, Deputy Superintendent of Police, Sub Division Attari, Amritsar (Rural) on behalf of respondents No.1 and 2, which is already on record. For ready reference, relevant portion of reply dated 22.10.2020 is reproduced hereinbelow:

“4. That on the basis of enquiry conducted it has been revealed that the respondents No.3 and 4, who are sons of the petitioner, along with their wives live jointly in separate house from the petitioner and respondent No.5, doing his job in BSF and whenever he comes on leave, he lives with the petitioner in his house. The petitioner likes to live separately and he wants to sell his house and plots. Whereas, his family members prevent him from it.

The respectable persons of the locality have stated that all the allegations which the petitioner has levelled in his applications against his sons and daughters-in-law, are false and baseless. The sons and daughters-in-law of the petitioner have never given him beatings and they have never extended any threat to him. Moreover, the petitioner could not produce any supportive evidence or witness with regard to the allegations levelled in his application. As such, the allegations levelled by the petitioner were not proved. Hence, on the basis of enquiry report of the Enquiry Officer, which was further forwarded by the SHO PS Kambo and DSP investigation, Amritsar-Rural vide their forwarding report, the application/representation (Annexure P-1) given by the petitioner has been consigned to records.

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6. *That it is humbly submitted that keeping in view the facts and submissions made hereinabove, it is evident that a detailed enquiry has been conducted impartially and fairly into the application/representation (Annexure P-1) as well as new application given by the petitioner. On the basis thereof, the allegations levelled therein by the petitioner, have not been proved. Hence, the application has been consigned to record and the fresh applications given by the petitioner have also been consigned to record on the basis of the statement of the petitioner. The life and liberty of the petitioner is not under threat from the private respondents. No case has been registered against the petitioner at the instance of private respondents. Therefore, the present petition is liable to be dismissed.”*

3. In view of the aforesaid categoric stand taken in the reply dated 22.10.2022 *ibid*, no grounds are made out to interfere.
4. Dismissed.

CRM-19705-2019

In view of order passed in the main case, no further action is warranted and the instant application stands disposed of accordingly.

(ARUN MONGA)
JUDGE

18.07.2023
Vandana

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