

CRWP-3572-2023

- 1 -

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

213

CRWP-3572-2023

Decided on : 17.05.2023

Satpal Singh

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Neeraj Jain, Advocate
for the petitioner(s).

Mr. Vikas Bhardwaj, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Mr. Rahul Rahore, Advocate, puts in appearance on behalf of respondents No.4 to 6, and files his two *Vakalatnamas*, in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

2. In the present petition, on 17.05.2023, following order was passed:-

“1. *Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to respondents No. 2 and 3, to provide protection of life and liberty to petitioner- Satpal Singh, aged 44 years, at the hands of private respondents No. 4 to 6.*

2. *Learned counsel for the petitioner submits that petitioner is constructing a temple on his own land in village Parwala, District Karnal, but feeling jealous to it, respondents No. 4 to 6 have been threatening the petitioner without any reason.*

3. *Counsel submits that on 15.03.2023 at about 8.00*

PM, petitioner and his son were caught-hold by the private respondents and were threatened for dire consequences. In regard to said incident, one representation dated 16.03.2023 (Annexure P-1) was submitted to Superintendent of Police, Karnal, but no heed is being paid.

4. *Notice of motion.*

5. *On asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana, who is present in the Court, accepts notice for the respondent-State. He seeks time to file status report/reply.*

6. *Let copy of the complete paper book be handed over to learned State counsel, during the course of the day.*

7. *Adjourned to 17.05.2023.”*

3. Today, learned State counsel has filed the reply dated 16.05.2023, by way of affidavit of DSP, Gharaunda, Karnal, on behalf of respondents No.1 to 3, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

4. While referring the aforesaid reply, learned State counsel submits that on the basis of complaint submitted by the petitioner, FIR No. 177, dated 10.05.2023, under Sections 294/ 323, 34, 341 & 506 of IPC, has been registered at Police Station Taroari, District Karnal, against the accused persons i.e. respondents No.4 to 6. Thus, the grievance addressed by the petitioner has already been looked into by the official respondents, and no issue is left to decide by this Court in the present petition.

5. On the other hand, counsel appearing for respondents No.4 to 6, submits that in fact, a concocted, one sided and false story, has been projected in the present petition, and the respondents are being victimized by

CRWP-3572-2023

- 3 -

registering the FIR in pursuance to the cognizance taken by this Court in the petition filed by petitioner.

6. He further submits that in fact, official respondents are now unnecessarily bent upon to harass the respondents No.4 to 6, by registering false case.

7. Be that as it may, as far as the grouse of respondents No.4 to 6 is concerned, to defend themselves is within their right by following/adopting the due process of law. It would also be expected from the investigating agency or the forum to not to get effected with the order dated 17.04.2023 or the observation, if any, made therein by this Court, which may prejudice the rights of either of the sides.

8. In view of the fact that a criminal case has already been registered on the complaint of the petitioner, counsel seeks withdrawal of the present petition.

9. Dismissed as withdrawn.

(SANJAY VASHISTH)
JUDGE

May 17, 2023

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*