

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210 CRWP-4758-2022
Date of Decision: 25.07.2023

Dilbagh Singh and another Petitioners
Versus
State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Kuljit Singh Bal, Advocate for the petitioners.
Mr. Karunesh Kaushal, AAG, Punjab.
Mr. Umesh Aggarwal, Advocate for respondents No. 5, 6 and 8 to 12.
Respondent No. 7 in persons.

ANOOP CHITKARA, J. (ORAL)

Apprehending threat at the hands of private respondents No. 5 to 12, the petitioners, who are father and son, have come up before this Court.

2. Counsel for the petitioners submits that petitioner No. 2 is an employee in Punjab Police and one FIR No. 150 dated 24.08.2014 under Sections 323, 341, 506, 452, 120-B IPC and 25/27/54 of Arms Act was registered at Police Station Gate Hakima, Amritsar against the private respondents. Respondent No. 7, who was SHO is also an accused in that FIR.

3. Counsel for the petitioners further submits that respondent No. 7 along with co-accused were continuously putting pressure upon the petitioners to compromise in the said FIR. In another attack upon petitioner No. 2, his hand was chopped off and FIR No. 171, dated 16.09.2019 under Sections 326, 324, 323, 148, 149 IPC was registered at Police Station Gate Hakima, Amritsar. Now the petitioners are apprehending serious threat to their life, even they are being prohibited to appear as witness.

4. Counsel for respondents No. 5, 6 and 8 to 12 and respondent No. 7, who is present in person state that there is nothing to fear from them. Respondent No. 7

undertakes that he shall appear before the trial Court, in which he is an accused on each

and every date without single default to enable the trial Court to conclude the trial as early as possible. He further undertakes not to influence any prosecution witness, who are yet to be examined.

5. Considering the seriousness of the threat and facts and circumstances of these both cases, protection is provided to the petitioners initially for a period of three months, after that, the concerned Commissioner of Police shall review the same and grant on day to day analysis.

6. Since, there is serious threat to the life of petitioners and security is being provided, this Court directs the trial Court wherein the trial of FIR No. 150 dated 24.08.2014 and FIR No. 171 dated 16.09.2019 are pending to conclude the same on top priority. It is clarified that if any of the accused will try to evade the trial, the same shall be dealt with in accordance with law and State is directed to ensure that all the official witnesses are present on the date on which they are summoned by the trial Court. Process be also expedited. Registry to convey this order to the concerned trial Court.

7. Given above, the present petition is disposed of in the above terms. All pending miscellaneous applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

25.07.2023
Jyoti-II

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