

CRM-M-40525-2018

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(109-1)

CRM-M-40525-2018

Date of decision:- 31.08.2023

Smt. Sudesh Kumari and another

...Petitioners

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. H.P.S.Rahi, Advocate
for the petitioners.

Mr. Arun Luthra, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

1. By way of present petition filed under Section 482, Cr.P.C., petitioners have approached this Court seeking direction to the official respondents to protect their lives and liberty.

2. Mr. Parminder Singh Kanwar, Advocate, has put in appearance on behalf of respondent No.2 and has filed Power of Attorney, which is taken on record.

3. In compliance to notice issued to the respondents, reply by way of affidavit of Deputy Superintendent of Police, Sub Division, Hoshiarpur, District Hoshiarpur, has been filed on behalf of the official respondents, relevant extract of which is reproduced as under:-

“3. That the petitioner never submitted any representation regarding their protection of life and liberty as mentioned in the

present petition. The representation dated 10.07.2018 was never received by the respondent No.2 to 5. The petitioner No.1 only submitted an application 2535-SSP dated 15.05.2018 to the SSP, Hoshiarpur alleging false implication of his son Mangal Singh in the present case. The said application was marked to DSP Investigation, Hoshiarpur for enquiry. The DSP, Investigation, Hoshiarpur conducted enquiry into the present case and he found that the above mentioned FIR was rightly registered against Mangal Singh son of the petitioner and he recommended to give direction to the SHO, P.S. Hariana to complete the investigation and to present the challan of this case in the learned Trial Court at Hoshiarpur. The petitioners without approaching the answering respondent to provide them police protection to their life and liberty, filed the present false and frivolous petition against the answering respondent with a view to harass and humiliate them and to create defence in their favour.”.

4. In view of the stand taken by the official respondents, there is no merit in the petition.
5. Petition is dismissed.
6. However, liberty is granted to the petitioners to move an appropriate representation in case they apprehend any threat to their lives and liberty.

(SUVIR SEHGAL)
JUDGE

31.08.2023
Pardeep

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No