

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

CRWP-4708-2023

Date of Decision: May 25, 2023

UPKARANDEEP SINGH AND ANOTHER	 Petitioners
Versus	
STATE OF PUNJAB AND OTHERS	 Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikrampreet Arora, Advocate for the petitioners.
Mr. Tarun Aggarwal, Sr. D.A.G. Punjab.
Mr. G.S. Brar, Advocate for respondent No.4.

HARKESH MANUJA, J. (ORAL)

1. By way of present writ petition filed under Article 226 of Constitution of India, prayer has been made for issuance of writ in the nature of mandamus for directing respondents No.2 and 3 to protect the life and liberty of petitioner at the hands of respondent No.4.

2. On 16.05.2023 this Court passed the following order:-

By way of present petition filed under Article 226 of the Constitution of India, prayer has been made for issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of respondent No.4 who was implicated as an accused in FIR No.14 dated 25.01.2023 under Section 307 IPC, registered at Police Station Sadar Khanna, District Ludhiana.

Learned counsel for the petitioners submits that post registration of the aforementioned FIR at the instance of petitioners, respondent No.4 has been extending threats to them where as on the other hand, the Investigating Agency or the police officials have failed to either grant any kind of protection to the petitioner or even proceed further in the investigation of the FIR .

Upon advance notice, Mr. Tarun Aggarwal, Sr. DAG, Punjab informs this Court that the needful shall be done within a period of one week from today and status report in this regard shall be filed on the next date of hearing.

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Adjourned to 25.05.2023.

In case the official respondents fails to take action in pursuance to the aforesaid FIR in accordance with law, the Senior Superintendent of Police Khanna shall come present in the court to explain the delay in investigation which pending for the past almost four months.

3. Today Ms. Amneet Kondal, IPS, SSP Khanna, District Ludhiana is present in Court and also submits affidavit dated 25.05.2023 stating therein the steps taken by Investigating Agency towards the investigation as well as for the purpose of providing security to the petitioners and his family members. Relevant portion thereof is reproduced hereunder:-

“ Thereafter, order no.33603-606/force Clerk, dated 22.05.2023 has been passed by the officer of SSP Khanna, vide which SSP Khanna ordered to deploy police personnel in furtherance of the protection of petitioner no.1 Upkarandeep Singh and to ensure the security of Upkarandeep Singh and his family via Rapid Rural Vehicle. SHO Sadar Khanna was also directed to ensure the protection of the petitioner. It was further directed vide this letter to ensure the protection of the petitioners to fulfil inadequacy, if any, concerning the CCTV cameras installed from the place of residence of the petitioners and it was directed to SHO P.S. Sadar Khanna, to get in touch with the petitioners with respect to their protection. True translation of letter No.33603-606/Force Clerk dated 22.05.2023 is Annexure R1/T.

Thereafter, vide letter No.34116-34/Force Clerk, dated 23.05.2023 issued from the officer of SSP Khanna, Constable Mankomal Grewal no.237/Khanna has been deployed as P.S.O. with respect to the protection of the petitioners. True Translation of letter No.34116-35/Force Clerk, dated 23.05.2023 is Annexure R2/T.”

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In addition, necessary steps have also been initiated against the police officials, those who delayed the progress of investigation.

4. At this stage, learned counsel for petitioners as well as respondent No.4 admits that a settlement dated 24.05.2023 has been arrived at between the parties and in pursuance thereof, the petitioners does not intend to pursue the present petition.

5. In view thereof, the present petition is dismissed as withdrawn, however, keeping in view the fact that the entire Investigating team as well as District Police, Khanna has been unnecessarily indulged in protecting the life and liberty of the petitioners, while if there existed possibility for settlement, the same should have been diligently explored by the parties before approaching this Court as well as police, however, there is no mentioning of any such effort in the petition. Therefore, petitioners and respondent No.4 are directed to deposit Rs.30,000/- and Rs.20,000/- respectively with Shaheed Ajit Singh, District Police Welfare, account No.01121050038429, IFSC-HDFC0000112 within a period of 15 days from today.

25.05.2023

Tejwinder

**(HARKESH MANUJA)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>