

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109

CRWP-4920-2023

Decided on : 22.05.2023

Vicky

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vikram Preet Arora, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Petitioner-Vicky, aged 40 years has approached this Court for seeking directions for protection of his life and liberty, which is at the imminent danger at the hands of respondents No.4 to 9.

2. Counsel for the petitioner submits that petitioner is working as a barber and on 13.11.2022 at 7 PM, petitioner was beaten up mercilessly by the private respondents for an amount of Rs.1000/-. Regarding which petitioner moved a complaint resulting into registration of FIR No.189 dated 15.11.2022 under Sections 452, 323, 506, 148, 149 IPC at Police Station Sadar Khanna.

3. Counsel for the petitioner further submits that later on one DDR No.43 dated 18.11.2022 under Sections 341, 323, 506, 148, 149 IPC was registered at Police Station Sadar Khanna against the petitioner and his family members. Now petitioner is being threatened by the private respondents and they are not allowing the petitioner to run his barber shop.

4. Counsel for the petitioner also submits that in regard to the threat issued by the private respondents, Sita Rani, who is mother of petitioner has submitted one representation dated 28.04.2023 (Annexure P-4) to the Senior Superintendent of Police, Khanna, District Ludhiana but no heed is being paid.

5. This Court has perused the subject matter and the prayer made in the said representation and for convenience, same are reproduced

hereinbelow:

“To

SSP Khanna
Distt. Ludhiana.

Subject :- Application for inquiry in FIR no. 0189, dated 15.11.2022 u/s 452,323,506,148,149 IPC. P.S. Khanna. Distt. Ludhiana from senior police official and to register the name of Sukhvir Singh and Satvir Singh in said FIR and to add sections 308, 365,459 IPC. and for cancelation of the cross-case registered against the petitioner and her family members.”

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*“By presenting this application, it is requested that FIR No. 189 dated 15-11-2022 149 under sections 452. 323, 325, 506. 148. I.P.C. be inquired from Higher officials and names of Simran, Sukhveer Singh and Satveer Singh to be registered in the case and Section 308, 365, 459, IPC be added in the said FIR. and the cross-case. registered against the petitioner and his family should be dismissed and justice should be given to the petitioner.
I will be very grateful to you.
Date:- 28.04.2023*

Sd/-

*Sita Rani Widow of Mohan
Singh Village Nasrali, Tehsil
Khanna, District Ludhiana”*

6. By noticing the pleadings in the present petition and the prayer clause, this Court has noticed that petitioner has prayed for protection of his life and liberty from the hands of private respondents and also direction to respondents No.2 & 3 to conduct a proper inquiry in the DDR No.43 dated 18.11.2022 under Sections 341, 323, 506, 148, 149 IPC.
7. Faced with the situation, counsel for the petitioner seeks withdrawal of the present petition with liberty to file fresh one, if need arises.
8. Dismissed as withdrawn, with liberty aforementioned.
9. However, it would be legitimate expectation of this Court that Senior Superintendent of Police, Khanna would ensure fair investigation in the version and cross-version of both the sides.

(SANJAY VASHISTH)
JUDGE

May 22, 2023
k.nain

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