

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

CRM-M-9520-2018

Date of decision: 09.05.2023

SUKHJINDER SINGH

.....Petitioner

versus

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Deepak Kohli, Advocate for
Mr. Munish Raj Chaudhary, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

The instant petition has been filed by the petitioner under Section 482 of Code of Criminal Procedure seeking appropriate directions to respondent Nos.2 to 4 to ensure protection of life and liberty of the petitioner and his family members at the hands of respondent Nos.5 to 9 and to conduct a fair and impartial enquiry into complaint dated 22.02.2018 (Annexure P-1) and register a criminal case against respondent Nos.5 to 9 under the relevant provisions of IPC.

On issuance of notice of motion, reply by way of affidavit of Sh. Varinderjeet Singh, P.P.S., Deputy Superintendent of Police (HQ), Barnala, has been filed on behalf of respondent Nos.1 to 3, wherein, it has been stated that the complaint submitted by the petitioner dated 22.08.2018, was got enquired through the Supervisory Officer, Women Cell, Barnala and vide report dated 13.06.2018, the said complaint was found to be false and it was recommended to be filed and was filed on 19.06.2018. It has also been stated in the reply that the

local police is duty-bound to protect the life and liberty of the petitioner and his family members and the petitioner never approached the police for protecting his life and liberty as well as his family members at any point of time. The relevant portion from the reply is as under:-

“xxx xxx xxx xxx

- “1. *Thereafter, the petitioner filed a complaint dated 22.02.2018 No.375/P dated 27.02.2018 to the Various Higher Authorities including Hon’ble Chief Minister Punjab and Hon’ble Chairman Human Right Commission Punjab against the private respondents No.5 to 9 by leveling the allegations against the character of respondent No.5 and also leveling allegations that she has got aborted the 3 months old foetus in her womb. The above said complaint was got inquired through the Supervisory Officer, Women Cell, Barnala and vide report dated 13.06.2018 the complaint was found false and it was recommended to be filed and it was filed on 19/6/2018 by the answering respondent No.3.*
12. xxxxxxx *However, the local police is duty bound to protect the life and liberty of the Peoples including the Petitioner and his family members. Petitioner never approached to the police for protecting his life and liberty as well as his family members at any point of time.*
13. xxxxxxx *it is respectfully submitted that no complaint against the Petitioner is pending in any of the Police Officer. It is further submitted that the petitioner leveled serious allegation in his complaint dated 22.2.2018 against the respondents No.5 to 9 and due to this reason it was necessary to conduct the inquiry before registration of case and on inquiry the allegations leveled in the complaint were found false, hence there is no violation of section 154 of the Cr.P.C.*

xxx xxx xxx xxx”

In view of the above, the instant petition has been rendered infructuous.

Disposed of as having become infructuous.

09.05.2023
sim

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No