IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRWP No. 7281 of 2022
Date of decision: 10.01.2023

Aman Singh .....Petitioner

Versus

State of Punjab and others .....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rahul Bhargava , Advocate for the petitioner.
Mr. J.S.Arora, DAG, Punjab.

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SANJAY VASHISTH, J. (ORAL)

Prayer in the instant petition filed under Article 226/ 227 for issuance of writ in the nature of Mandamus for directing the official respondents to protect the life and liberty of the petitioner and his family members from the hands of the official respondents No. 3 and 4 and their accomplices. Further direction is also sought to take immediate action on the representation dated 30.06.2022 moved by the petitioner.

Learned counsel for the petitioner has averred in the petition that earlier petitioner was implicated as accused in case FIR No. 148 dated 12.05.2014 registered at PS A-Division, Amritsar under Sections 382, 411, 34 of IPC along with two other persons namely Tehal Singh and Sharanjeet Singh. Said case was registered at the instance of one complainant-Vinod Kumar s/o Sh. Vijay Kumar. However, lateron petitioner was acquitted for the offence under Section 382/34 IPC but he was convicted for the offence under Section 411 of IPC.

Now, on the pretext of implication of the accused in earlier case, petitioner is being harassed by the official respondents again and again by coming to his place or by calling him at police station. In response to the

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petition, respondents No. 1 to 4 have filed status report dated 31.10.2022, Para 7, 8 and 9 of which says as under:

> *"7. That in pursuance thereto SI Gurcharan Singh alongwith ASI Subhash Chander posted at Police Station Sadar, Amritsar, while performing their official duty which was assigned to them by his superior officer i.e SHO PS Sadar, Amritsar, had approached the petitioner once or twice for checking his current activities. But the petitioner was not caused any kind of harassment by these police officials as being alleged in the present petition by the petitioner nor has the petitioner ever been called to the police station by the respondents no. 3 & 4.*
>
> *8. That insofar as the representation dated 30.06.2022 (Annexure P/2) alleged to be given at the office of respondent no. 2-Commissioner of Police, Amritsar by the petitioner, is concerned, it is submitted that the information has been obtained in this respect from the concerned branches of office of Commissioner of Police, Amritsar i.e. Central Diary and Public Complaint branch and it has been reported that no such representation dated 30.06.2022 has been received from the petitioner. The reports are annexed herewith as Annexure R-1/T for the kind perusal of this Hon'ble Court.*
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> *9. That it is respectfully submitted that keeping in view the totality of the facts and submissions made hereinabove, it is evident that the allegations being levelled in the present petition by the petitioner are false, frivolous and*

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baseless. The petitioner has filed the present petitioner in order to create undue pressure upon the local police so that the current activities of the petitioner, who is a convict in the case of snatching, could not be checked by the local police being their official duty. However, directions have been issued to the respondents No. 3 and 4 that the current activities of the petitioner be kept under surveillance in such a manner and strictly in accordance with law that the normal life of the petitioner may not get effected and he may not feel any kind of undue harassment at the hands of police department. Therefore, the present petition is liable to be dismissed."

In view of the stand taken by the official respondents in the reply, this court does not find any reason to issue any specific direction as sought by the petitioner as there is nothing to perceive as danger to life and liberty of the petitioner. Moreover in regard to the representation dated 30.06.2022, State reply is very much clear which says that as per their record, no such complaint was ever received. In view of the reasons recorded hereinabove, there is nothing to issue any specific direction in the petition.

Hence, the petition is dismissed.

However, it is made clear that in case any grievance is there, the petitioner would be at liberty to avail his remedy available under law.

10.01.2023 **(SANJAY VASHISTH)**
Rajeev (rvs) **JUDGE**

Whether speaking/reasoned Yes/No
Whether reportable Yes/No

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