

CRWP-7343-2022

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

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CRWP-7343-2022

Decided on : 20.03.2023

Dalip Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Simran Sharma, Advocate for
Mr. Akhilesh Vyas, Advocate
for the petitioner(s).

Mr. J.S. Arora, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

In the present protection petition, after filing reply by the State,
on 01.02.2023, following order was passed by this Court:-

“In the instant petition, petitioner has sought a direction to respondents No 2 and 3 to protect his life and liberty from the hands of private respondents No. 4 to 12.

Today, status report dated 22.09.2022 on behalf of respondents No. 1 to 3 has been filed by Mr. J.S. Arora, learned DAG, Punjab in Court, which is taken on record. Registry is directed to place the same at appropriate stage of the file. Copy of the status report has been handed-over to the learned counsel for the petitioner in Court today.

Paras 3 to 7 of the status report says as under:-

3. “That it is submitted that as per report furnished by SHO of Police Station Chatiwind, Amritsar Rural, the petitioner had given representation/applications bearing Nos.944-PP dated 08.04.2022 and 838-PP, dated 05.04.2022 at the office of Senior Superintendent of Police, Amritsar Rural against private respondents No. 4 to 12, who are own family members of the petitioner. The inquiry into these representations/applications was entrusted to the Deputy Superintendent of

Police(Headquarters), Amritsar Rural by the Senior Superintendent of Police, Amritsar Rural.

4. *That it is submitted that the Deputy Superintendent of Police (Headquarters), Amritsar Rural conducted a details inquiry qua the aforesaid application/representations in a fair and impartial manner. During the course of inquiry, the Deputy Superintendent of Police (Headquarters), Amritsar Rural issued three notices bearing Nos.537-5E, dated 15.04.2022, 610-5E, dated 27.04.2022 and 713-5E, dated 12.05.2022 to the petitioner for joining the inquiry and producing his version with respect to the allegations being levelled in his representations/applications, which were duly served upon, the petitioner neither joined the inquiry nor did he produce his any version. Hence, the petitioner remained unheard. The notices are annexed herewith as Annexure R-1/T to R-3/T for the kind perusal of this Hon'ble Court.*

5. *That it is submitted that on the other hand the private respondents namely Sarabjit Kaur (respondent no.4) wife of the petitioner Dalip Singh, Manpreet Singh (respondent no.5) son of the petitioner Dalip Singh and Shamsher Singh (respondent no.7) s/o Bawa Singh appeared before the Inquiry Officer and their respective statements were recorded by the Inquiry Officer.*

6. *That it is submitted that as per the statements recorded of the aforesaid private respondents namely Sarabjit Kaur (respondent no.4) wife of petitioner Dalip Singh, Manpreet Singh (respondent no.5) son of petitioner Dalip Singh and Shamsher Singh (respondent no.7)s/o Bawa Singh, the Deputy Superintendent of Police (Headquarters), Amritsar Rural found that the petitioner Dalip Singh is a habitual to consume liquor and the petitioner has sold out 06 acre land of his ownership and the petitioner used to give applications against his family and relatives for causing them harassment. But the petitioner does not join the inquiry thereof as and when he is called. It has also been reported by the Inquiry Officer with regard to the Car Swift bearing No.PB02-DX-3334 as mentioned in the present petition that the R.C. of this car is in the name of Manpreet Singh (respondent no.5) son of the petitioner Dalip Singh. It has also been reported by the Inquiry Officer that the petitioner has also filed a suit against the private respondents, which is pending for consideration before the Court of Ld. Civil Judge Junior Division, Amritsar, which is fixed for hearing on 20.10.2022. Therefore, the Deputy Superintendent of Police (Headquarters), Amritsar Rural has concluded that no further action is called for upon the representations/applications of the petitioner by the local*

police and recommendation has been made to file and consign the representations/applications of the petitioner to record room. The Inquiry Report submitted by the Deputy Superintendent of Police (Headquarters), Amritsar Rural is annexed as Annexure R-4/T) for the kind perusal of this Hon'ble Court.

7. That insofar as the protection of life and liberty of the petitioner from the hands of private respondents is concerned, it is submitted that as per report furnished by SHO PS Chatiwind, Amritsar Rural, though the petitioner is not having any threat from the private respondents, however, the police is duty bound to protect life and liberty to every citizen and necessary directions have been issued to SHO PS Chatiwind, Amritsar Rural to ensure protection of life and liberty of the petitioner.”

Faced with this situation, learned counsel for the petitioner prays for some time to seek instructions.

However, from the status report, it is gathered that despite issuing three notices by the Deputy Superintendent of Police (Headquarters), Amritsar (Rural), petitioner did not join the inquiry. This Court feels that one more chance be given to the petitioner to appear before the Inquiry Officer i.e. Deputy Superintendent of Police (Headquarters), Amritsar (Rural) within two weeks from today. Necessary information would be sent to the petitioner against the receipts of it.

Adjourned to 15.03.2023.”

Again on 15.03.2023, counsel for the petitioner sought time to seek instructions in regard to the compromise, if any, between the parties.

Order dated 15.03.2023, says as under:-

“Learned State counsel on instructions from ASI Harpal Singh, states that in fact, it is a dispute between petitioner and his wife Sarabjit Kaur (respondent No.4) and son Manpreet Singh (respondent No.5). As per instructions received by learned State counsel, the dispute between the petitioner and the private respondents has been resolved and they are living together now.

Faced with this situation, learned counsel for the petitioner seeks a short adjournment to get instructions in this regard.

Adjourned to 20.03.2023.”

Today, on the very outset, counsel appearing for the petitioner submits that now parties have compromised and they are living jointly, therefore, she be allowed to withdraw present petition.

Dismissed as withdrawn.

(SANJAY VASHISTH)
JUDGE

March 20, 2023
J.Ram

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