

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

205

**CRWP No.8504 of 2022(O&M)
Date of Decision: 08.05.2023**

SUBHASH CHAND

.....Petitioners

Vs

STATE OF HARYANA & ORS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Amrita Garg, Advocate
for the petitioner.

Ms.Palika Monga, DAG, Haryana.

Mr.Yashvir Kharab, Advocate
for respondents No.5 to 9.

RAJ MOHAN SINGH, J.(Oral)

The petitioner has preferred this writ petition under Article 226 of the Constitution of India for the issuance of a writ in the nature of mandamus, directing the respondents No.1 to 4 in the context of providing necessary protection to the life and liberty of the petitioner.

Notice of motion was issued on the premise that FIR No.0233 dated 06.07.2021 under Section 365 IPC was registered in Police Station Israna at the instance of the respondent No.6 against unknown persons. In the aforesaid criminal case on 06.07.2021, respondent No.6 appeared before the police and presented a written complaint with the allegations that his brother Jai Bhagwan had gone to a particular locality in the village on 05.07.2021 and thereafter, he did not come back.

During inquiry, it was found that the said Jai Bhagwan had come to the house of the petitioner at 6.30 am and went away by taking an amount of Rs.5,000/- from him. The police during the course of investigation, investigated the case vis-a-vis the alleged role of the petitioner and ultimately filed an untraced report. According to the stand of the State, there is nothing against the petitioner and the petitioner is not being harassed by the official respondents.

Learned counsel for the respondents No.5 to 9 submits that the petitioner has no such threat perception at the hands of the private respondents and the private respondents will not indulge in any such type of harassment to the petitioner at any point of time. As of now, there is nothing against the petitioner which can be taken to be any instinct of threat at the hands of official respondents as well as the private respondents, but still if the petitioner feels reasonable apprehension qua his life and property, then he would be at liberty to approach the respondent No.4 by way of representation. In the event of filing of such representation, the respondent No.4 shall act in accordance with law.

Petition stands disposed of accordingly.

(RAJ MOHAN SINGH)
JUDGE

May 08, 2023

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No