

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

249-CRWP-9163-2022

Date of Decision: 09.01.2023

Shiv Balak Tiwari

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. PS Chahal, Advocate for
Mr. Naveen Sharma, Advocate for the petitioner

Mr. Mohit Chaudhary, AAG Punjab

Sandeep Moudgil, J. (Oral)

The petitioner seeks protection of life and liberty of the petitioner which is under threat at the hands of accused persons named in complaint (Annexure P1).

Notice of motion was issued on 26.09.2022 and respondent No.2 was directed to file a status report with regard to the action taken on the representation dated 14.09.2022 (Annexure P1).

Status report dated 10.10.2022 has been filed by Dr. Kaustubh Sharma, IPS, Commissioner of Police, Ludhiana on behalf of respondents No.1, 2 & 3, which is taken on record. It has been averred that neither the complainant's nephew Himanshu Mishra was abducted by the persons named in the complaint nor the Bakery of the petitioner was forcibly got closed by anybody. It is further averred that there is no threat to the life and liberty of the petitioner. However, PCR employees of the area on motorcycles No.65 and 66 have been directed by the SHO to take regular round to the house/bakery of the petitioner.

Learned counsel for the petitioner has supplied a copy of the statement made before SHO, Police Station Tibba District Ludhiana dated 30.09.2022, which is taken on record as Mark 'X'. The relevant portion of the said statement reads as under:-

“....Thereafter, I had submitted an application on 17.09.2022 through Speed Post to Worthy Commissioner of Police, Ludhiana against Mohammad Samim, Mohammad Salam and Salim Malik residents of Sandhu Enclave Tibba Road Ludhiana and in this regard have also filed a Writ Petition CRWP-9163-2022 in the Hon'ble Punjab and Haryana High Court, Chandigarh. That now I have opened my Bakery, at present, I have no danger from the aforesaid persons. I do not want to take any legal action on the application submitted by me. My application may be consigned to record room...”

In view of the above statement, this petition has become infructuous and is disposed of, accordingly.

09.01.2023

V.Vishal

1. Whether speaking/reasoned?
2. Whether reportable?

(Sandeep Moudgil)
Judge

Yes/No
Yes/No