

2023:PHHC:115233

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

106

CRWP-8654-2023 (O&M)
Date of Decision: 02.09.2023

ANOOP SINGH

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Gaurav Datta, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

This petition has been filed under Article 226 of the Constitution for issuance of directions to respondent No.2 to protect the life and liberty of the petitioner at the hands of respondents No.3 and 4 i.e. Incharge, Special Task Force, STF Wing, Amritsar and Station House Office, Police Station Sarhali, District Tarn Taran, respectively.

Learned counsel for the petitioner submits that the petitioner is a senior citizen; that son of the petitioner, namely, Bikramjit Singh, is not under the control of his father (the petitioner herein), mother and other family members; that said Bikramjit Singh is having criminal antecedents and has been residing in a separate accommodation along with his wife and daughter and that, though the petitioner is ready to cooperate the investigating agency, yet the fact remains that the police officials are raiding the house of the petitioner and calling him and his family members in the Police Station, time and again, even in the odd hours as well. He further submits that the police officials are duty bound to give advance notice to the petitioner, in terms of Section 160 Cr.P.C.

Learned counsel for the petitioner further submits that for redressal of his grievances, the petitioner has moved a representation dated 28.07.2023 (Annexure P-2) to the Senior Superintendent of Police, District Tarn Taran and another representation dated 10.07.2023 (Anexure P-1) to the Hon'ble Chief Minister, Punjab Government, but to no avail.

At this stage, learned counsel for the petitioner restricts his argument to the extent that the representation dated 28.07.2023 (Annexure P-2) moved by the petitioner be ordered to be decided in a time bound manner.

In support of his contentions, learned counsel for the petitioner relies upon the judgment passed by the Hon'ble Supreme Court in Lata Singh vs State of UP and another, AIR 2006 SC 2522.

Notice of motion to respondents No.1 and 2-State only, at this stage.

On the asking of this Court, Mr. CL Pawar, Additional AG Punjab, accepts notice on behalf of respondents No.1 and 2-State only. He submits that he has no objection in allowing the aforesaid limited prayer made by the learned counsel for the petitioner.

In view of the above and without commenting anything on the merits of the case, the present petition is disposed of with a direction to respondent No.2-Superintendent of Police, District Tarn Taran, to decide the representation dated 28.07.2023 (Annexure P-2) moved by the petitioner, as per law, within a month from the receipt of the certified copy of this order, by giving an opportunity of hearing to petitioner, namely, Anoop Singh.

02.09.2023

(HARNARESH SINGH GILL)

Aman Jain

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No