

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

215

CRWP-10917-2022

Decided on : 25.05.2023

Suresh Saggar

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

**PRESENT:** Mr. Naresh Kumar, Advocate  
for the petitioner(s).

Mr. JS Arora, DAG, Punjab.  
Assisted by ASI Harjinder Singh.

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**SANJAY VASHISTH, J. (Oral)**

1. After hearing the petitioner on 30.01.2023, following order was passed:

*“Order dated 18.11.2022 passed by this Court says as under:*

*“Petitioner-Suresh Saggar, aged about 76 years, has approached this Court to seek protection of his life and liberty by submitting that earlier armed security was granted to him, but without assessing the threat perception, same has been withdrawn. Still, petitioner is receiving threats from some unknown persons. Petitioner is not even aware of the reasons as to why he is being victimized, although, earlier dispute between the brothers had been settled.*

*Notice of motion.*

*On asking of the Court, Mr. Anmol Singh Sandhu, AAG, Punjab, accepts notice on behalf of respondents No. 1 to 6 (State). He seeks time to file reply/status report.*

*Let copy of paper book be supplied to learned State counsel during the course of the day.*

*Adjourned to 29.11.2022.*

*Reply/status report be filed by learned State counsel on or before the next date of hearing, positively.”*

*In response to said order, status report dated 06.12.2022 by way of affidavit of Kanwalpreet Singh, PPS, Assistant Commissioner of Police, West, Amritsar city, on behalf of respondents No. 1 to 6 is already available on record.*

*Learned State counsel while referring to paragraph No. 13 of the status report submits that as per investigation, there is no threat perception to the petitioner.*

*Learned counsel for the petitioner submits that petitioner-Suresh Saggar, aged about 76 years, is a helpless person and he never faced such a situation in his life with regard to apprehension of threat to his life and liberty at the hands of goons of the area and never faced any proceedings in the criminal cases. However, there were some civil dispute with his brother, but the same were already settled 3-4 years back and there is no dispute pending with anybody else.*

*Counsel refers to photographs attached with the petition and copy of medico legal report dated 24.06.2022, where in four injuries have been noticed, which are as follows:-*

| Sr. No. | Injury Details                                                                                                       | Injury Number |
|---------|----------------------------------------------------------------------------------------------------------------------|---------------|
| 1.      | BRUISE OVER RIGHT LATERAL ASPECT OF CHEST, SWELLING PRESENT OVER LATERAL ASPECT OF CHEST. ADVICE X RAY CHEST PA VIEW | 1             |
| 2       | ABRASION OVER RIGHT ELBOW AROUND 6 CM. ADVICE X RAY RIGHT ELBOW AP LAT, ORTHO OPINION.                               | 2             |
| 3.      | ABRASION 9 CM OVER RIGHT SHOULDER                                                                                    | 3             |
| 4       | ABRASION OF AROUND 2.5 CM BELOW POSTERIOR ASPECT OF RIGHT SHOULDER                                                   | 4             |

Counsel also refers to the fact that first time, petitioner was attacked on 19.05.2022 and immediately thereafter, one complaint was submitted to SHO, Police Station Cantonment, Amritsar, but no action was taken by the police.

Again, second attack upon the petitioner was done by some unidentified person on 12.06.2022 and a complaint dated 13.06.2022 to SHO, Police Station Cantonment, Amritsar was also registered, but still no heed is provided by the concerned police.

Third attack upon the petitioner was done on 24.06.2022 and this time one FIR No. 139 dated 24.06.2022, under Sections 323, 341, 427, 506 and 34 IPC was got registered at Police Station Chheharta, District Police Commissionerate Amritsar.

Learned counsel for the petitioner submits that in the said FIR, till date, no arrest is made by the police.

Considering the situation and threat to his life, petitioner has addressed one comprehensive representation dated 27.06.2022 (Annexure P-8), sent through registered post dated 29.06.2022, to respondent No. 4- Commissioner of Police, Amritsar, for demanding security.

Learned counsel submits that in pursuance to said representation dated 27/29.06.2022 (Annexure P-8), one security person was provided to the petitioner. However, said security was withdrawn subsequently. Hence, petitioner has approached this Court.

By going through the details mentioned in the status report dated 06.12.2022, this Court is not satisfied with the same, because neither there is any explanation regarding the status of investigation in the FIR No.139 dated 24.06.2022 nor about any suspects found by the police in the case, though CCTV footage is available. Otherwise also, there is no explanation in the status report that what can be possible reason for attacking a senior citizen thrice, who is aged about 76 years, within a period of 37 days.

Upon this, learned State counsel seeks time to look into the matter again and then to file better status report.

Adjourned to 17.03.2023.

Meanwhile, respondent No. 4-Commissioner of Police, Amritsar, is directed to ensure that there should not be any danger to the life and liberty of the petitioner, and also ensure himself/herself that all possible steps in this regard would be taken, in accordance with law. ”

2. Thereafter, on asking of the Court, another status report dated 17.03.2023 in the shape of affidavit of Kanwalpreet Singh PPS Assistant Commissioner of Police, West, Amrtisar City, has been filed and same was taken

joined the investigation after registration of FIR No.139 dated 24.06.2022 under Sections 323, 341, 427, 506, 34 IPC Police Station Chheharta, Police Commissionerate Amritsar. Petitioner was also called to identify the actual culprit but he did not chose to come to the police station by saying that he is busy in some other work.

3. Learned State counsel further explains that some faces were identified from the CCTV footage of the area outside the house of the petitioner but their faces were not visible, hence no clue could be found qua culprits.

4. Learned State counsel also submits that in the absence of any clue given by the petitioner, no person could be arrested in the alleged incident as highlighted by the petitioner. Still, efforts are being made to trace out the actual culprits. For the time being, petitioner has been provided with one police personnel for his personal security, besides, security through patrolling vehicles of PCR and patrolling parties of Police Post Khandwala and Police Station Chheharta. Thus, investigation in FIR No.139/2022 would still continue.

5. After going through the pleadings raised in the petition as well as the detailed explanation in the status report dated 17.03.2023, I am of the opinion that sufficient efforts have already been made by the State of Punjab to find out the culprits qua the allegations levelled by the petitioner in representation and the present petition. Apprehension qua life has already been acknowledged by the State of Punjab by providing the petitioner with one police personnel for his personal security apart other police help as highlighted in the last part of the status report i.e. patrolling vehicles of PCR and patrolling parties of Police Post Khandwala and Police Station Chheharta.

6. In the view point of this Court, no other issue is left for its adjudication. Rather, grievance of the petitioner has already been acknowledged by State & required remedial steps have also been taken.

7. Accordingly, in view of the observations made by this Court and recorded hereabove, no cause survives with the petitioner, thus, present petition stands disposed of.

8. Pending application(s), if any, also stands disposed of.0.

(SANJAY VASHISTH)  
JUDGE

**May 25, 2023**

*k.nain*

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