

CRWP-10018-2023

Date of Decision: 10.10.2023

Rashpal @ Rashpal Ram

...Petitioner

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Ms. Kudrat Sareen, Advocate for
Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. At the very outset, learned counsel for the petitioner has confined relief to the extent of grant of protection of life and liberty of the petitioner, as enshrined under Article 21 of the Constitution of India and submits that she will avail her alternative remedies for the other reliefs claimed in the present petition.

2. The petitioner has filed the present petition under Article 226 of the Constitution of India for issuance of directions to respondents No.1 to 3 to ensure that the right to life and personal liberty of the petitioner, as enshrined under Article 21 of the Constitution of India, is not endangered at the hands of private respondents.

3. On advance notice, Mr. Savish Girdhar, AAG, Punjab has appeared on behalf of the official respondents and submits that a civil dispute is already

pending between the parties and the petitioner has already filed a civil suit before the Competent Court of law. He further contends that there is no threat to the petitioner from any corner. Since there was apprehension of breach of peace in the area, preventive proceedings under Sections 107 and 160 Cr.P.C. have already been initiated against both the parties. He has further assured the Court that in case, any representation is received from the petitioner with regard to the threat to the life and liberty of the petitioner, appropriate and necessary action shall be taken on the same, in accordance with law. He has further assured the Court that the life and personal liberty of the petitioner and his family members shall be protected by the official respondents.

4. In view of the statement made by learned counsel appearing on behalf of the official respondents, no further directions are required and the petition is, accordingly, disposed off.

5. Needless to say that the petitioner shall be at liberty to take recourse to the remedies available in law, for the other reliefs claimed in the instant petition.

6. Disposed off, in the above terms.

10.10.2023

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(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No