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

CRWP-11188-2022
Date of decision: 10.08.2023

Puneet Sharma

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: None for the petitioner.

Mr. Karan Puggal, DAG, Punjab
for respondent Nos.1 to 4.

Mr. Bikramjit Singh Baath, Advocate
for respondent Nos.7 to 13.

VIKAS BAHL, J. (ORAL)

1. This is a Criminal Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondent Nos.1 to 6 to take appropriate action in accordance with law against private respondent Nos.7 to 26 and to protect the life and liberty of the petitioner.

2. Learned State Counsel, on instructions from ASI Surinder Kumar, has pointed out that the petitioner has been arrested in FIR No.69 dated 10.02.2023 registered under Sections 307, 324, 498-A, 406 of Indian Penal Code, 1860 at Police Station Islamabad, District Amritsar since

21.02.2023. It is further submitted that as per the short reply filed by way of an affidavit of Gurinderbir Singh, PPS, Deputy Superintendent of Police, on behalf of respondent Nos.1, 2 and 4, enquiry with respect to the complaint filed by the petitioner was conducted and statements of several persons were recorded and on the basis of the said enquiry, it was found that the petitioner was quarrelsome and a hot tempered person and did not have cordial relations with the neighbours or with his wife. It is contended that his wife along with children, due to harassment caused by the petitioner had left the matrimonial home. It was further found that no one in the street/neighbourhood wanted to have any contact with the petitioner.

3. Learned State Counsel has further referred to para 5 of the said affidavit which is reproduced hereinbelow:-

“5. That, it is humbly submitted that the petitioner have been directed to inform the local police in case of any apprehension of threat to his life and liberty and SHO Police Station Qadian has been given directions to ensure the protection of life and liberty of the petitioner. Further directions have been made to ensure the protection of the petitioner by covering the house of the petitioner by making frequent visits of mobile PCR and Rapid Rural Response System. Further directions have been given to SHO Police Station Qadian to ensure that in case the petitioner approach him with the apprehension of any threat to his life and liberty, the matter be considered expeditiously in accordance with law.”

4. A perusal of the same would show that it has been stated that the petitioner has been granted liberty to inform the local police in case of any apprehension of threat to his life and liberty and the SHO concerned has

been given direction to ensure protection of life and liberty of the petitioner and directions have also been issued to ensure protection of petitioner by covering the house of the petitioner by making frequent visits by mobile PCR and that, in case, the petitioner approaches the SHO concerned, then the matter would be considered expeditiously in accordance with law.

5. Learned State Counsel has further submitted that in view of the same, no further cause survives to the petitioner and thus, the present Criminal Writ Petition has been rendered infructuous.

6. Today, no one has put in appearance on behalf of the petitioner. None had appeared on his behalf on 23.03.2023 for the apparent reason that the petitioner is in custody.

7. Keeping in view the abovesaid facts and circumstances more so the stand taken in the reply and also the fact that the petitioner is stated to be in custody, the present Criminal Writ Petition is disposed of as having been rendered infructuous.

8. Liberty is, however, granted to the petitioner to file a fresh petition, in case, any cause survives/arises to the petitioner.

10.08.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**