

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

211

CRWP-11756-2022 (O&M)  
Decided on :19.04.2023

Sewa Singh

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

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

**PRESENT:** Mr. Divyam Singh, Advocate for  
Mr. Vikram Singh, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, AAG, Haryana.

Mr. Dinesh Maurya, Advocate for  
Mr. G. S. Sandhu, Advocate for respondent No. 4.

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

1. Order dated 23.01.2023, passed by this Court, says as under:-

*“Mr. M.K. Bhardwaj, Advocate for Mr. G.S. Sandhu, Advocate, puts in appearance on behalf of respondent No.4 and files his Vakalatnama. Which is taken on record.*

*Present petition is for seeking directions to respondents No.2 & 3 to provide protection of lives and liberty to the petitioner and his family members, as they are receiving serious death threats at the hands of respondent No.4.*

*On December 15, 2022, following order was passed:-*

*“Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to respondents No.2 & 3, to provide protection of lives and liberty to the petitioner himself and his family members at the hands of respondent No. 4.*

*Learned counsel for the petitioner submits that petitioner Sewa Singh, who is aged about 70 years, has approached this Court for seeking protection to his life and liberty. Petitioner is stated to be running a ration depot in village Haibatpur and respondent No. 4 who is a hardcore criminal has been issuing constant threats to kill him or either to give him an amount of Rs. 10 lacs.*

*In the context of threat perception at the hands of private respondent no. 4, petitioner has allegedly moved a*

*representation dated 05.12.2022/ 06.12.2022 (Annexure P-1) to Superintendent of Police, Karnal, (respondent No.2), wherein, all the apprehensions have been expressed.*

*Even in support of the allegations, petitioner has already appended the affidavits of people of his locality.*

*Notice of motion.*

*On asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana, accepts notice on behalf of respondents No. 1 to 3 (State). He seeks time to file status report after verifying the facts as alleged in the petition.*

*Adjourned to 23.01.2023.*

*Today, reply dated 19/23.01.2023, by way of affidavit of Veer Singh, HPS, DSP, City, Karnal, on behalf of respondents No.1 to 3, has been filed by learned State counsel in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.*

*A copy thereof has been handed over to the counsel for the petitioner.*

*Para No.4 of the preliminary submissions of the aforesaid reply, says as under:-*

*“4. That inquiry was conducted by Shiv Kumar ASI, posted in Special Detective Unit, Karnal and recorded the statement of the present petitioner namely Sewa Singh, Kirpal Singh and Pardeep Kumar. It is further submitted that after gone through the contents of complaint and statement of witnesses, the said inquiry officer prepared inquiry report stated therein that “That Mewa Singh and Sanjeev Kumar, had joint business of selling cows and buffaloes among themselves, which was their transaction. complainant/petitioner Sewa Singh’s brother Mewa Singh had given an application in Nigdu Police Station for taking one lakh fifteen thousand rupees against Sanjeev Kumar.*

*In this application, Mewa Singh get the criminal proceedings against Sanjeev Kumar @ Sanju and his wife namely Kamlesh. Complainant Sewa Singh has ration depot in the village. The one who rigs people by giving less ration. About this Sanjeev Kumar submitted complaint before C.M. window on 30.11.2022.*

*In lieu of that application, Sewa Singh has given the above application against Sanjeev Kumar, so that it comes under pressure and withdraw application from the C.M. window.”*

*Copy of the same is attached herewith as Annexure R-I for the kind perusal of this Hon'ble Court. Thus the present petition deserves to be dismissed."*

*According to the reply filed by the State, grouse of the petitioner has already been inquired into by the official respondents (State), and as per inquiry report, it is found that there is a complaint dated 30th November, 2022 at CM window presented by respondent No.4 against the petitioner, and only thereafter, petitioner has moved his representation dated 05.12.2022/06.12.2022 (Annexure P-1), which seems to be counterblast to the complaint submitted by respondent No.4.*

*However, counsel appearing for the petitioner submits that reply filed by the State in Court today, is not comprehensive, as nothing has been responded therein, about the averments raised in para No.4 of the petition, wherein, it has been stated that private respondent No.4 is already facing 6-7 cases of serious nature, which are pending against him and petitioner, who is a helpless person, aged 70 years, is being threatened by respondent No.4.*

*Adjourned to 30.01.2023.*

*Let the said fact be clarified by learned State counsel and counsel for respondent No.4, on or before the next date of hearing by submitting their respective response. "*

2. At the very outset, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to avail an alternative remedy, under the law.
3. Dismissed as withdrawn, as liberty aforementioned.

**(SANJAY VASHISTH)  
JUDGE**

**19.04.2023**

*Riya*

*Whether speaking/reasoned: Yes/No*

*Whether Reportable: Yes/No*