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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-10995-2023
Date of decision: 14.11.2023

HARJINDER SINGH AND ANOTHER

...Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. G. P. S. Ghuman, Advocate
for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India in the nature of mandamus with a prayer for issuing direction to respondents No.2 to 4 to protect the life and liberty of the petitioners at the hands of respondents No.5 to 16 and to provide adequate security to the petitioners with a further prayer to decide the legal representation of the petitioners dated 16.04.2023 (Annexure P-3) within a stipulated time period.

2. At the outset, learned counsel for the petitioners submitted that he does not wish to press the present petition only qua the prayer for protection of life and liberty of the petitioners but his prayer may be confined only to the extent that since he has already served a legal representation Annexure P-3 to respondents No.2 to 4, the same may be considered and decided in accordance with law in a time bound manner.

3. Learned counsel for the petitioners further submitted that it is a case where petitioner No.1 is a police official and when he was coming along with the friend of his wife although in civil uniform, he was informed with regard to some drug peddlers and he immediately reached at the place but there, some of the accused persons not only abused the petitioners but many allegations have been levelled in this regard. He also submitted that once an information is given to the police with regard to an offence, then the same needs to be put to a logical conclusion, which has not been done by the police in the present case.

4. Mr. Ramdeep Partap Singh, Senior DAG, Punjab submitted that he has instructions to state that so far as the aforesaid legal representation issued by the petitioners is concerned, the same will be brought to a logical conclusion and decided in accordance with law.

5. In view of the aforesaid position, wherein the learned counsel for the petitioners has confined the scope of the present petition only to the extent of seeking a prayer for considering and deciding the legal representation dated 16.04.2023 (Annexure P-3) issued by the petitioners in this regard and the learned State counsel has also not objected to the same, it is therefore directed that the aforesaid legal notice which has also been addressed to the respondent No.3-Senior Superintendent of Police, Police District Khanna, District Ludhiana, Punjab shall be considered and decided by the aforesaid Senior Superintendent of Police, strictly in accordance with law and within a period of four weeks from today.

6. It is made clear that the scope of the present petition is only pertaining to the aforesaid directions to consider and decide the aforesaid

representation notice Annexure P-3 and it does not convey any kind of observations whatsoever on the merits of the allegations contained in the petition and the submissions made by the learned counsel for the petitioners.

7. Consequently, the present petition is disposed of.

14.11.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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