

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

CRWP No.11441 of 2023

Decided on:28.11.2023

Major Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aditya Dassaur, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Learned counsel for the petitioner has approached this Court by filing criminal writ petition under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of mandamus directing the respondents No.1 and 2 to protect the life and liberty of the petitioner and his son, who is in custody from the hands of respondents No.3 to 9.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner is the father of Amrit Pal Singh, who served the Indian Army and he was discharged from service on 24.07.2020. On 12.09.2023 at 10 AM, son of the petitioner left his house by telling that he is going to meet his friend Tej son of Ranjit Singh, Village Rangad Nangal. However, when he did not come back for two days, the petitioner kept on looking for him at his relatives' place. Thereafter, he came to know that on 12.09.2023 at about 1.30 PM, respondents No.3 to 9 picked up his son from the house of Ranjit Singh. Two witnesses of the said incident namely Sawinder Singh and Hardeep Kaur, who were

neighbours of Ranjit Singh, have already given their affidavits, which are annexed with the instant petition as Annexure P-4.

3. Learned counsel for the petitioner further refers to the bed head ticket of his son while he was taking treatment at the Civil Hospital, Baba Bakala to contend that medical record indicates that on 15.09.2023, his son was not found on bed and was taken out of the hospital and again tortured. It is also contended that petitioner has represented to various authorities with respect to illegal acts of respondents No.3 to 9, who are police officials and therefore, now he is receiving serious threats at their hands to withdraw the said complaints/representations against them and respondent No.2 has not taken any decision on the representation made by the petitioner.

4. Per contra, Ms. Navreet Kaur Barnala, AAG, Punjab, who appears on advance notice, submits that son of the petitioner was arrested after he had fired upon the police party and one pistol 32 bore and one live cartridge was recovered from him. He suffered injury on his right leg after the police party fired in retaliation. He was involved in the incident of snatching at the petrol pump. It is further submitted that son of the petitioner is involved in four more cases as accused including FIR No.0068 dated 12.09.2023 registered under Sections 307, 353, 186 IPC and Sections 25 & 27 of the Arms Act, 1959.

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that son of the petitioner is involved in number of cases and a perusal of the representation (Annexure P-5) submitted by the petitioner to respondent No.2 on 22.09.2023 does not indicate any allegation of threat to the petitioner for withdrawing any representation made against the official respondents. Keeping in view the facts and circumstances of the present case, this Court finds no merit in the instant petition.

6. Consequently, the instant petition stands dismissed.

(HARPREET SINGH BRAR)
JUDGE

November 28, 2023

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No