

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-11469-2023

Date of Decision : December 01, 2023

MANGALJIT SINGH

-Petitioner

V/S

STATE OF PUNJAB AND OTHERS

-Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. P.S. Toor, Advocate
for the petitioner.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as filed under Article 226 of the Constitution of India, the petitioner has sought issuance of directions upon the respondents No.3 and 4, to ensure protection of his life and liberty at the hands of respondents No.6 to 8.

2. The learned counsel for the petitioner states that the petitioner, who is a farmer, is not being permitted by the respondents No.6 to 8 to cultivate the land, which he has taken on lease, rather the said respondents have been extending threats to the petitioner. He further states that upon being given beatings, the servant of the petitioner got registered FIR No.209 dated 08.10.2023, under Sections 323, 324, 341, 379-B, 506, 148, 149 of the IPC, against the said respondents at P.S. Machhiwara, District Khanna. However, when the police officials concerned did not take any action against the private respondents No.6 to 8, the petitioner made a representation (Annexure P-2) to the respondent No.3, which is also alleged to remain un-actioned. Therefore, the

petitioner has been constrained to access this Court for redressal of their grievance.

3. I have meticulously examined the case file, whereupon, it emerges that the representation (Annexure P-2) has been sent by the petitioner, through India post on 21.11.2023, while the instant petition has also been filed hastily on the very same date, i.e. 21.11.2023, without awaiting any response or outcome of the representation (supra). Therefore, the above conduct of the petitioners impels this Court to draw an inference that the petitioner, instead of permitting the officer/authority concerned to act upon their representation (supra), has straightaway approached this Court.

4. A presumption is always there that the administrative authorities are well discharging their functions and are ensuring protection of life and liberty of each citizen of this land.

5. Even otherwise, what erupts from a naked eye scrutiny of the instant petition, is that, that the allegations, as levelled by the petitioner, are not supported by any cogent independent witness or evidence, which consequently renders them to be baseless and vague.

6. Nonetheless, even if assumingly the police officials are not taking any action upon the FIR (supra), the petitioner has other alternative remedies for redressal of his grievance. In such circumstances, the instant petition appears to have been filed may be for some oblique motive.

7. Therefore, for all the reasons (supra), this Court refrains from making any mandamus upon the respondents concerned and as such, no intervention is called for. Accordingly, the writ petition is **dismissed**,

however, as prayed for by the learned counsel for the petitioner, liberty is reserved to the petitioner to avail all available alternative statutory remedies before the appropriate forum/authority concerned.

December 01, 2023

devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No