

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP-11983-2023

Date of decision : 13.12.2023

Jai Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHLPresent: Mr. Sumeet Puri, Advocate
for the petitioners. (through V.C.).

Mr. Ajit Singh Natt, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

1. This is the first criminal writ petition filed under Article 226 of the Constitution of India for protection of life and liberty of the petitioner at the hands of respondents no.3 to 5.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a representation dated 01.11.2023 (Annexure P-1) and at this stage, would be satisfied in case the said representation is considered by respondent no.2 and in case, there is merit in the same, then appropriate action be taken, in accordance with law.

3. Learned State counsel has submitted that respondent no.2 would consider the said representation and decide the same within a period of one month from the date of the receipt of certified copy of the present order and in case the plea raised by the petitioner is found meritorious, then appropriate action would be taken, in accordance with law. It is further

submitted that the said order should not be construed as restraining the police officials from proceeding against the petitioner in case the petitioner is required in any criminal case.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.2 to consider the representation dated 01.11.2023 of the petitioner within a period of one month from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioner is found to be meritorious, then appropriate action be taken, in accordance with law.

5. It is made clear that the present order should not be construed as an estoppel against the police officials from taking action against the petitioner in case the petitioner is required in any criminal case. It is further made clear that this Court has not opined on the merits of the case and respondent no.2 would consider and decide the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

December 13, 2023.
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No