

2024:PHHC:100316



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

228

CRWP-2781-2023 (O&M)
Date of decision: 05.08.2024

Amandeep Singh Brar**...Petitioner**

Versus

State of Punjab and others**...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

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

Mr. A. S. Samra, AAG, Punjab.

Mr. V. K. Sandhir, Advocate
for respondent No. 5.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India seeking issuance of directions to respondent Nos. 1 to 4 to protect the life and liberty of the petitioner and his property from the hands of respondent No. 5 and also to provide him security and to decide his representation dated 14.03.2023.

2. While issuing notice of motion on 22.03.2023, the following order was passed by this Court:

“Petitioner-Amandeep Singh Brar, aged 52 years has filed the instant petition for seeking direction to provide security to his life and liberty, which is at danger at the hands of respondent No.5-Harvinder Singh.

Counsel for the petitioner submits that earlier Mahant Makhan Singh was the Sewa Panthi and the head of Dera Sant Amir Singh Ji, Bazar Sattowala, Katra

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Karam Singh, Amritsar, who at first instance executed a will in his lifetime in favour of respondent No.5-Harvinder Singh regarding the ownership by appointing him as Chella of the Dera and transferring all the other properties. Counsel for the petitioner further submits that thereafter, he revised his decision and by cancelling the earlier will, appointed petitioner as Chella of the Dera and thus, transferred the other properties, which were earlier proposed to be transferred in favour of respondent No.5. On 03.02.2023, Mahant Makhan Singh expired and last rites were also performed by the petitioner as is clear from the copy of register asthayian issued by Gurudwara Shri Patalpuri Sahib, Shri Kiratpur Sahib dated 06.02.2023 (Annexure P-4). Respondent No.5 having ill will started threatening the petitioner and on 12.03.2023, some henchmen came to the Dera and by using his name, asked the petitioner to leave the properties else be killed.

Counsel for the petitioner further submits that although, petitioner has already filed the civil suit regarding all the rights in the properties under Dera, yet, feeling apprehensive of his life and liberty at the hands of respondent No.5, petitioner submitted one representation dated 14.03.2023 to respondent No.3-Senior Superintendent of Police, Amritsar. He further submits that though he would be abide by the final decision of the Civil Court regarding the rights of the properties but as of now, he is more concerned with the danger to his life. Thus, prays for issuing directions to respondent No.3-Senior Superintendent of Police, Amritsar to examine representation and then to provide protection to his life and liberty.

Notice of motion for 24.05.2023.

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On asking of Court, Mr. Anmol Singh Sandhu, AAG, Punjab, who is present in Court, accepts notice on behalf of respondents No.1 to 4(State).

Meanwhile, respondent No.3-Senior Superintendent of Police, Amritsar, is directed to examine the representation dated 14.03.2023 (Annexure P-8) and if any substance of truth is found in the same, protection to the life and liberty of the petitioner would be ensured.”

3. In pursuance thereof, status report by way of the affidavit of the Deputy Commissioner of Police, Law & Order, Amritsar City has been filed, which is available on record. A perusal of the same shows that in compliance with the aforesaid order dated 22.03.2023, a detailed inquiry was conducted on the representation dated 14.03.2023 filed by the petitioner and it was found that the petitioner has no danger to his life, liberty and property. However, still, the patrolling of the police has been increased in the area of Dera and the concerned beat officer has also been instructed to take special care of the security of the petitioner. In view of the same, this Court is of the opinion that no further orders are called for in the present matter. Accordingly, the present petition is disposed of.

05.08.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No