

2024:PHHC:097756



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

227

CRWP-3015-2023 (O&M)  
Date of decision: 30.07.2024

Gurdeep Singh and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Tanvir Joshi, Advocate  
for the petitioners.

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

MANISHA BATRA, J. (Oral)

1. CRM-W-96-2024

Allowed as prayed for.

ASI Surjeet Singh and Satnam Singh, MHC are impleaded as respondent Nos. 5 and 6 in this petition. Registry to make necessary amendment in the memo of parties.

2. CRWP-3015-2023 (O&M)

The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking issuance of directions to respondent Nos. 2 and 3 to protect the life and liberty of the petitioners from the hands of respondent No. 4 and to conduct fair and impartial investigation in FIR No. 31 dated 29.02.2023, registered under Section 307, 326, 323, 324, 148 and 149 of IPC and Sections 25, 27 of the Arms Act, 1959 at Police Station Sri Muktsar Sahib.

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3. Learned counsel for the petitioners has submitted that petitioner Nos. 1 and 2 are husband and wife and respondent No. 3 is their son. It is further submitted that an FIR bearing No. 31 dated 22.02.2023, under Sections 307, 326, 323, 324, 148 and 149 of IPC and Sections 25, 27 of Arms Act had been registered at Police Station Sri Muktsar Sahib against Happy and Mani on the statement of one Jabar Singh. Subsequently, son of petitioner Nos. 1 and 2, namely Vikasdeep Sigh, was also arrayed as an accused in the said FIR. On 24.02.2023, respondent No. 4-SHO of the police station concerned, along with other police officials, had raided the house of the petitioner in civil clothes and had threatened the petitioners. They even vandalized the house of the petitioners and broke several household articles. It is, thus, urged that appropriate directions may be issued to protect the life and liberty of the petitioners as well as for conducting fair and impartial investigation in the matter.

4. On the other hand, learned State counsel has submitted that the son of petitioner Nos. 1 and 2 was arrayed as an accused in the aforementioned FIR and in that connection, the police party had raided the house of the petitioner by following the due procedure. The petitioners have levelled false allegations against the police official with regard to vandalizing their house, which is nothing but a pressure tactics. The investigation of the matter has since been completed and challan has already been presented before the Court. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the record carefully.

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6. Admittedly, son of petitioner Nos. 1 and 2 has been arrayed as an accused in the aforesaid FIR and since he was absconding, the police party had raided the house of the petitioners. Hence, it cannot be stated that the police party had either harassed the petitioners or had posed any threat to their life and liberty. The petitioners have placed on record some photographs showing that the police party had vandalized their house and had broken several household articles. However, the veracity and truthfulness of the same cannot be decided in the proceedings of the present petition. So far as the prayer of the petitioners with regard to conducting fair and impartial investigation in the aforesaid FIR is concerned, the investigation has since been completed and *challan* has been presented before the Court. Hence, no such direction can be issued.

7. In view of the above, I am of the considered opinion that no case for issuing any direction to the official respondents has been made out. Hence, the present petition is dismissed.

30.07.2024

*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*