

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-18125-2024
Date of decision : 15.04.2024

Suchpreet Singh Dhillon

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Nikhil Ghai, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a petition filed under Section 482 Cr.P.C. with the prayer to direct the official respondents to conclude the enquiry in the complaint (Annexure P-4) given by the petitioner and register FIR under the appropriate provisions of law against the private respondents. Other prayers have also been made in the present petition.
2. Learned counsel for the petitioner has submitted that in the present case, two primary prayers have been made. One is for registration of the FIR, with respect to which, in view of the law laid down by Hon'ble Supreme Court of India in case titled as *Sakiri Vasu vs. State of U.P. And others, reported as 2008(2) SCC 409* and in *M.Subramaniam and another vs. Janaki and another, Criminal Appeal no.102 of 2011*, decided on 20.03.2020, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition with liberty to pursue alternative remedies, in accordance with law. Learned counsel for the petitioner has further

submitted that the second prayer made by the petitioner in the present petition is for protection of life and liberty of the petitioner and has submitted that on the said limited aspect alone i.e., protection of life and liberty, the petitioner be granted liberty to move an appropriate representation to respondent no.5 and the said representation be considered, in accordance with law and in case, the plea raised by the petitioner is found to be meritorious, then appropriate action be taken, in accordance with law.

3. Keeping in view the above said prayers made by learned counsel for the petitioner, the petitioner is permitted to withdraw the present petition with respect to the prayer for registration of FIR with liberty to seek alternative remedy, in accordance with law. With respect to the prayer of the petitioner for the protection of life and liberty, the present petition is disposed of granting liberty to the petitioner to move an appropriate representation to respondent no.5 only on the aspect of the protection of life and liberty and in case any such representation is moved, then respondent no.5 would consider the same as expeditiously as possible preferably within a period of six weeks from the date of the receipt of the said representation and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner, in accordance with law, on the limited aspect of protection of life and liberty.

4. It is made clear that this Court has not opined on the merits with respect to the second prayer and respondent no.5 would consider and decide the said aspect independently, in accordance with law.

(VIKAS BAHL)
JUDGE

April 15, 2024
Davinder Kumar