

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRWP-3979-2024

Date of decision: 02.05.2024

JONY SINGH AND OTHERS

...PETITIONER(S)

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENT(S)

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Gautam Kaile, Advocate
for the petitioners.

SANJIV BERRY, J.(ORAL)

By way of present petition filed under Article 226 of Constitution of India, the petitioners have sought issuance of directions to respondents No.1 to 4 to take protect the life and liberty of the petitioners, who are apprehending threats to their life at the hands of respondents No.5 to 7.

2. It is, *inter alia*, contended by learned counsel for the petitioners that feeling aggrieved by the act and conduct of private respondents No. 5 to 7, the petitioners have been moving to the police authorities for getting their statements recorded in case FIR No.25 dated 30.01.2024 registered under Sections 323, 341, 506, 34 of IPC and Sections 452 and 308 of IPC added later on at P.S. City Kharar, District SAS Nagar (Mohali) but for the reason best known to the police authorities, the statements are not being recorded. He has referred to the representations moved to respondent No.2- Senior Superintendent of

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Police, SAS Nagar, Mohali in this regard as Annexure P-3 dated 01.02.2024, Annexure P-4 dated 01.04.2024, Annexure P-5 dated 10.04.2024 and the latest Annexure P-6 dated 22.04.2024 but till date no action thereon has been taken.

3. Notice of motion to official respondents.
4. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and on instructions from SI Balwinder Singh, who is the Investigating Officer of the case, submits that the police will record the statements in accordance with law. He further submits that the representation will be disposed of by the concerned authorities expeditiously. On being confronted, SI Balwinder Singh, Investigating Officer of the case, submits that he has taken over the investigation in February 2024, but no reason or plausible explanation for not recording the statements of the petitioner could be given by him.
5. Without commenting on the merits of the case and considering the limited request made by learned counsel for the petitioners, the instant petition is disposed of with a direction to respondent No.2- The Senior Superintendent of Police, SAS Nagar, Mohali, to consider and dispose of the representation dated 22.04.2024 (Annexure P-6) in accordance with law in an expeditious manner after giving opportunity of being heard to the petitioners.
6. The decision so taken be also intimated to the petitioners as well.

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7. The Senior Superintendent of Police, SAS Nagar, Mohali, is further directed to take appropriate legal action against the officials found negligent in performing their duties and submits his report to this Court within four weeks from today.

8. Disposed of.

(SANJIV BERRY)
JUDGE

02.05.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |