



CRWP-5152-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-5152-2023

Date of decision: 07.11.2024

Jaswinder Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**Present: Mr. Anureet S. Sidhu, Advocate
for the petitioners.

Mr. Neeraj Madaan, Senior DAG, Punjab.

AMARJOT BHATTI, J.

Petitioners-Jaswinder Singh and Joga Singh have filed criminal writ petition under Article 226 of the Constitution of India for issuance of directions to respondents No.2 and 3 to protect their life and liberty and to provide adequate security to the petitioners and their family members from the hands of private respondents No.4 to 10.

2. Learned counsel for petitioners pointed out that regarding occurrence dated 22.02.2019, FIR was registered on their statement bearing No.21, dated 23.02.2019 under Sections 452, 323, 148, 149 and 506 IPC, Police Station Julka, District Patiala, against respondents No.5 to 10, copy of said FIR is Annexure P-1. Private respondents pressurized petitioner in many ways to effect compromise in the said FIR so that FIR could be cancelled. Prior to this, there was enmity with respondent No.4 whose husband Gulab Singh, real brother of Darshan Singh respondent No.5, died in the year 2016 due to snake bite and they tried to falsely



were found to be innocent. Trial is pending in the aforesaid FIR No.21, dated 23.02.2019 before Judicial Magistrate 1st Class for prosecution evidence and in order to put pressure on them, private respondents are filing false and frivolous application through respondent No.4. Private respondents are continuously harassing and threatening the petitioners, as a result, present petition has been filed. Therefore, official respondents No.2 and 3 be directed to protect the life and liberty of the petitioners and their family members from the hands of private respondents No.4 to 10.

3. Status report already received confirming the registration of aforesaid FIR and pendency of trial. It is pointed out that challan has been presented on 04.09.2019 and charge sheet was framed on 19.10.2019 and the case is fixed for prosecution evidence. Earlier private respondents were appearing through their counsel but thereafter they stopped appearing.

4. I have considered the aforesaid factual position. From the facts of the case, it is clear that private respondents are facing trial in FIR No. 21, dated 23.02.2019 under Sections 452, 323, 148, 149 and 506 IPC Police Station Julka, District Patiala (Annexure P-1) and case is fixed for prosecution evidence. Petitioner alleged that they are being pressurized by private respondents to effect compromise to which they did not agree. Private respondents have not filed their reply to rebut the allegations. It is the duty of the police to protect life and liberty of the petitioners who are complainant/witnesses in the said trial.

5. Therefore, present petition is disposed of with direction to decide the representation dated 02.09.2019 (Annexure P-2) and to take appropriate action, in case, there is any threat perception to the petitioners or their family members.



6. With this direction the present petition is accordingly disposed
of.

(AMARJOT BHATTI)
JUDGE

07.11.2024
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- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No