

2024:PHHC:127519



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

**CRWP-8741-2024
DATE OF DECISION: 25.09.2024**

SANDEEP KUMAR

...PETITIONER

Versus

STATE OF PUNJAB AND OTHERS ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sumeet Grover, Advocate for the petitioner(s).
(through VC).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed praying for issuance of a writ in the nature of mandamus directing the Respondent Nos. 1 to 3 to protect the life and liberty of the petitioners from the hands of the respondent No.4 as the petitioners have filed a Complaint Case No. NACT/933/2018 dated 14.08.2018 titled as 'M/s Aggarwal Trading Co. Versus M/s Bio Green food Grain Storage' was pending in the court of Sh. Gurav Kumar Sharma JMIC, Ferozepur under Sections 420 and 138 of NI Act 1938 and Respondent no 4 has been declared a proclaimed offender in the same case and for that reasons he is threatening them to eliminate the petitioner life and property and further appropriate order or directions to the Respondents No.1 to 3 to arrest the Respondent No.4.



In pursuance to previous order, status report by way of affidavit of Sukhwinder Singh, PPS, Deputy Superintendent of Police (City) Ferozepur has been filed on behalf of respondents No. 1 to 3, the same is taken on record. Attention of this Court is drawn to relevant part of the same which is as under :-

'4. That FIR no.0098 dated 19.09.2024 u/s 174-A IPC has been registered against Sukhbir Singh (respondent no.4) in Police Station Cantt Ferozepur.

True translation of the above said FIR is annexed as herewith Annexure R-1/T whereas the true copy of the same is appended as Annexure R-1.

5. That even after registration of the above said FIR, Police party headed by ASI Salwinder Singh raided on the address of accused Sukhbir Singh in Faridkot on 21.09.2024, 22.09.2024 and 23.09.2024, but he was not found. However, one Shitar Pal Saini son of Nathu Ram Saini, resident of Near Nehar Sadiq Road, Faridkot, who is posted as Munim in the firm of Sukhbir Singh (respondent no.4) met the police party and got his statement recorded with Investigating officer and stated that his employer i.e. Sukhbir Singh had gone to Madhya Pradesh due to some urgent work. He further stated that as and when Sukhbir Singh came back, he will inform the police.

True translation of the statement of Shitar Pal dated.. is annexed herewith as Annexure R-2/T whereas the true copy of the same is appended as Annexure R-2.

6. That on investigation, it was further found that Sukhbir Singh respondent no.4 is the owner of one petrol pump at Sadiq Road, Faridkot and ASI Satwinder Singh raided the said Petrol pump. where Gurjeet Singh son of Randhir Singh, r/o Dashmesh Nagar, Gali no.4, Faridkot met the police party and got his



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statement recorded and as per his statement, he is posted as Salesman in the said petrol pump. He further stated that earlier Sukhbir Singh owner of the pump visited the petrol pump but now for the last few days, he stopped visiting the petrol pump as he had gone out of state due to some work.

True translation of the statement of Gurjeet Singh is annexed as Annexure R-3/T whereas the true copy of the same is appended as Annexure R-3.

7. That as far as the threat perception to the present petitioner is concerned the present deponent, on receipt of the order dated 09.09.2024 passed by this Hon'ble Court, on dated 11.09.2024 issued necessary directions to SHO PS Cantt that the considering the threat perception the patrolling in the area where the petitioner resides be increased and the petitioner be provided the contact details of the SHO as well as the phone no. of the police station so that in case of any eventuality, he may contact the police for assistance. Further, the SHO was directed by the deponent to involve the secret branch of the department to verify the threat perception as well as conduct secret and discreet inquiry with regard to the threat perception.

8. That after inquiring about the threat perception the SHO Police Station Cantt on dated 12.09.2024 reported to the deponent that there is no threat to the life and liberty of the present petitioner.

9. That further in order to know about the whereabouts of Sukhbir Singh respondent no.4, his mobile no.98158-00081 was given to Technical Cell vide letter no.587-5-A dated 22.09.2024 for getting call details and tower location of respondent no.4.

10. That after taking due action as per the provisions of law ie registration of the above said FIR and duly inquiring with regard to threat perception, the representation dated 17.06.2024



stands consigned, as no further action is required as per law.
11. That further, the SHO Police Station Cantt is in the process of getting the details of the properties of the accused namely Sukhbir Singh, so that relevant application under section 83 of Cr.P.C. can be moved for the attachment of the properties owned by the accused in accordance with law.'

In view of the status report filed, learned counsel for the petitioner submits that this grievance raised herein is satisfied. Accordingly, he seeks withdrawal of the present case.

Prayer is accepted.

Hence, it is ordered. Dismissed as withdrawn.

(SANDEEP MOUDGIL)
JUDGE

25.09.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>