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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-8150-2024 (O&M)
Date of decision: 28.08.2024

Jitender Paswan and another

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

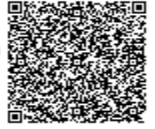
Present: Mr. Gautam Kumar, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. Present criminal writ petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing respondents No.1 & 2 to take appropriate action against respondents No.3 & 4, who along with police officials are harassing the petitioners and also for protection of lives and liberty of the petitioners at the hands of respondents No.3 & 4.

2. Learned counsel for the petitioners, *inter alia*, contends that an FIR No.24 dated 07.02.2024 under Sections 366 & 366 of the Indian Penal Code, 1860 (for short 'IPC') was registered at Police Station Sadar Amritsar, on the basis of written complaint submitted by the complainant, with the

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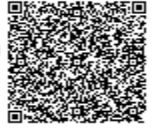


allegations that on the pretext of marriage, Kamlesh Kumar (brother of the petitioners) enticed away his daughter namely 'G' (name withheld). Thereafter, the complainant sworn an affidavit dated 16.03.2024 (Annexure P-2), in which he has stated that his daughter 'G' had gone to his native village in Bihar with said Kamlesh Kumar and he wrongly got registered FIR (*supra*) and he has no objection in case the same is quashed. It is further contended that the petitioners are residents of Bihar and presently, they are residing at Amritsar and doing the labour work there and despite the fact that the complainant has sworn an affidavit stating that he has got registered FIR (*supra*) due to mistake, respondents No.3 & 4 are harassing the petitioners, being brother of accused Kamlesh Kumar in FIR (*supra*), by calling and making them to sit in the police station from morning to evening and also threatened to register a case against them. The earlier petition i.e. CRWP-7753-2024 filed by the petitioners was dismissed as withdrawn with liberty to file afresh with better particulars vide order dated 13.08.2024 (Annexure P-3). Now the petitioners approached the Commissioner of Police, Amritsar by submitting an application dated 14.08.2024 (Annexure P-4), but till date, no action has been taken thereon.

3. Learned counsel for the petitioners further submits that the petitioners would be satisfied, in case a direction is issued to respondent No.2 to consider and decide the application dated 14.08.2024 (Annexure P-4) submitted by them in a time bound manner.

4. Notice of motion to the official respondents only.

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5. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, accepts notice on behalf of the respondents-State. Learned counsel for the petitioners is directed to supply copy of complete paperbook to learned State counsel during the course of the day.

6. Keeping in view the prayer made by the petitioners and without commenting anything on the merits of the case, present petition is disposed of with a direction to respondent No.2 to consider and decide the application dated 14.08.2024 (Annexure P-4) submitted by the petitioners within a period of four weeks from the date of receipt of certified copy of this order, in accordance with law.

[HARPREET SINGH BRAR]
JUDGE

28.08.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No