



CRWP-9003-2023

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

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Date of Decision:- 23.07.2024

Karnail Singh

....Petitioner

Vs.

State of Punjab and Ors.

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sandeep Singh, Advocate for petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

None for respondents No.4 and 5.

AMARJOT BHATTI, J.

1. Petitioner Karnail Singh filed present petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus, directing respondents No.2 and 3 to protect life and liberty of petitioner and his family from the hands of respondents No. 4 to 6.

2. Learned counsel for petitioner pointed out that he is owner in possession of land measuring 25 bighas 15 biswas situated in village Tarora Khurd. Respondents No.4 to 6 tried to interfere in the use of common path leading to the land of petitioner on one side and the land of respondents No.4 to 6 on the other side. Respondents No.4 to 6 started interfering in peaceful possession and tried to grab his property. One Civil Suit bearing No.1197/2023 titled as ***“Karnail Singh vs. Sher Singh and Others”*** is pending in the Court of learned Civil Judge (Junior Division), Patiala. Copy of interim order dated 07.07.2023 is Annexure P-1.

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Respondents being annoyed of interim order, on 16.07.2023 went to their roof top and fired gunshots. House of present petitioner is adjoining to the house of respondents No.4 and 5. Apprehending threat to his life and liberty, petitioner approached to Senior Superintendent of Police, Patiala on 17.07.2023. He also filed complaints dated 18.07.2023 and 07.08.2023 which are Annexure P-2 and P-3. With these allegations, he prayed for protection of his life and liberty.

3. Status report has been filed confirming the property dispute which is pending before learned Civil Judge (Junior Division), Patiala. However incident of 16.07.2023 was not confirmed. It is alleged that on that day respondent No.6 had gone to Delhi whereas weapon in the name of Bhupinder Singh father of Manpreet Singh was deposited with Gun House Patiala on 28.09.2018. Sher Singh respondent No.4 was having 12 bore riffle having its license valid up to 09.05.2025. Said complaint was recommended to be filed to the record room. Copy of inquiry report is Annexure R-1/T. It is prayed that petition filed by petitioner may be dismissed.

4. I have considered the petition along with facts narrated in the status report. From the facts and the status report, it is clear that property dispute is going on between the parties who are closely related to each other. Civil rights of the parties will be adjudicated by civil Court. Incident of firing on 16.07.2023 was inquired and the police came to the conclusion that complaint is baseless, thus did not require any action.

5. Considering the factual position, protection petition filed by petitioner is disposed of with direction that in case, petitioner finds any

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threat perception, then respondents No.2 and 3 will take adequate steps to protect his life and liberty.

6. Petition is accordingly disposed of.
7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

23.07.2024

Sunil Devi

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No