

2024:PHHC:152291



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

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CRM-M-47823-2024 (O&M)
Date of decision: 20.11.2024

Harjit Kumar and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Nikhil Chopra, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 528 of BNSS, 2023, is for issuing direction to respondents to complete the investigation in case arising out of FIR No. 90 dated 13.07.2024, registered under Sections 333, 118(1), 115(2), 190, 191(3) of BNS, 2023 at Police Station Goraya, District Jalandhar (Rural) under the supervision of some senior police officer and to arrest the other co-accused in the matter. Prayer has also been made for issuing direction to respondents to protect the life and liberty of the petitioners from the hands of accused persons and police officials i.e. respondents No. 6 and 7.

2. After arguing for some time, learned counsel for the petitioners has submitted that he does not wish to press the instant petition qua the first prayer made by the petitioners.

3. So far as the protection of the life and liberty of the petitioners is concerned, short reply by way of affidavit of the Superintendent of Police,

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District Jalandhar (Rural) has been filed in Court today, wherein it is submitted that ASI Surinder Mohan was directed to record the statement of petitioner No. 1. However, he refused to give any statement. It is further submitted that since accused Gurpreet Singh is lodged in jail and accused Malkit Singh is absconding coupled with the fact that petitioner No. 1 has refused to give his statement, no action is required to be taken in the matter.

4. A perusal of the reply reveals that the investigation in the aforesaid FIR has been conducted in a proper manner. So far as the question of granting protection to the petitioners in order to protect their life and liberty is concerned, petitioner No. 1 is stated to have refused to make any statement before the police officials, leaving them unable to take appropriate action in the matter. In view thereof, the present petition is disposed of as no further orders are called for.

5. However, the petitioners are granted liberty to approach the SHO of the police station concerned in case they feel any threat to their life and liberty in future.

20.11.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No