



235 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-104-2020 (O&M)
DECIDED ON: 21.10.2024

PARDEEP KUMAR SHARMA AND OTHERS

....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Jasjit Singh Rattu, DAG, Punjab.

Mr. R.S. Bajaj, Advocate
for respondent No.5.

SANDEEP MOUDGIL, J (ORAL)

1. The 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* direction the respondents No.2 and 3 to protect the life and property of the petitioner, at the hands of respondent No.5 with further prayer for issuance of directions to respondents No.1 to 3 to restrained the local police officials/officers from closing the firm of the petitioner No.1 and also to issue directions to the respondents No.1 to 3 to give atleast 10 days prior notice in case the petitioners are required in any complaint/case by the police.

2. Learned counsel for the petitioner would submit that he did not press qua prayers for protection of life and property of the petitioners, as no threat perception is there at this stage. Since it is on record that he has already



been dispossessed from the said property though allegedly to be forcefully. He further submits that he does not have any instructions to appear on behalf of petitioners No.2 to 4, therefore, he seeks liberty to appear on behalf of petitioner No.1 only for the rest of the prayers left out in the petition.

3. Mr. Gulati, learned Advocate for the petitioner No.1 would submit that in case the petitioner No.1 is required in any complaint/case for interrogation/investigation at least 10 days prior notice be issued to him.

4. Mr. Rattu, DAG, Punjab, on instructions from ASI Malkiat Singh, Pervi Officer, would submit that he has no objection in case the afore-said prayer is accepted. Hence, he undertakes that at least 7 days notice would be served upon the petitioner in advance in case he is required in any complaint/case qua the dispute involved in the present petition.

5. Since the grievance of petitioner No.1 stands addressed, in view of submission made by learned State Counsel, nothing survives in the present petition.

6. However, it is made clear that in case the undertaking given by learned State counsel today, in Court, shall not adhered to, the petitioner would be at liberty to revive the present petition.

7. Disposed off, as having been rendered infructuous.

8. Pending criminal misc. application, if any also stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

21.10.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No