

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118 CRWP-12186-2023
Date of decision : 26.02.2024

Rukman Rani and another Petitioners

versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. R.S. Bajaj, Advocate
for the petitioners.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Article 226 of the Constitution of India for issuance of direction to the respondents to protect the life and liberty of the petitioners and their family members.
2. Status report has been filed. As per the same, the following measures have been taken by the State:-

“3. That succinctly, the factual matrix of the matter in question in the present petition is that the petitioners have filed the present petition before this Hon'ble Court seeking directions to the respondents to protect the life and liberty of the petitioners and their family members as the petitioners averred in the petition that they have been received threats on behalf of the accused in FIR No.317 dated 14.11.2023 U/s 302, 148, 149, 120(B) IPC, 25, 27 Arms Act, Police Station Rama Mandi, Police Commissionerate, Jalandhar and FIR No.307, dated 31.10.2023, U/s 307, 452, 323, 427, 148, 149, 506

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IPC, 25 Arms Act, Police Station Rama Mandi, Police Commissionerate, Jalandhar; and with further prayer for issuance of directions to the respondent No.1 to 4 to transfer the investigation of above-mentioned FIRs from respondent No.5 to some senior Police officer outside the District Jalandhar.

4. That the Commissioner of Police, Jalandhar vide office order No. 100-03/R-CP dated 08.02.2024 constituted a Special Investigation Team (hereinafter referred to as SIT) to conduct investigation in the above-mentioned FIRs in expeditious manner and to further analyse the alleged threat perception to the petitioners and take necessary action. The SIT is comprising of following officers:-

- i) Additional Deputy Commissioner of Police-1, Jalandhar Chairman (ie answering deponent)
- ii) Assistant Commissioner of Police, Sub-Division Central, Jalandhar- Member
- iii) Station House Officer of Police Station Rama Mandi, Jalandhar-Member

5. xx xx

6. That the above-said SIT further mentioned in the above-said report that in order to ensure the safety of the petitioners, each of the petitioners be given one Police official as gunman.

7. xx xx

8. That apart from above, the answering deponent being chairman of the above-said SIT further directed the SHO of Police Station Rama Mandi to keep close watch around the surrounding areas of the residence of the petitioners with the

help of PCR party of the concerned area.”

3. So far as the grievance of the petitioners as raised in the present petition is concerned, the same stands redressed and there is no reason to keep the petition pending. However, counsel for the petitioner has produced order which shows that one Gagan Arora @ Gagan stands discharged on the application filed by the investigating agency and has been ordered to be released.
4. In the considered opinion of this Court, the aforesaid order is not the subject matter of the present petition, thus, the same cannot be allowed to be redressed at this stage. Against the said order, the petitioners have remedies in accordance with law which they are entitled to avail.
5. In view of above, the present petition is disposed off.

(PANKAJ JAIN)
JUDGE

26.02.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No