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

**CRWP-2383-2025 (O&M)
Date of decision: 11.03.2025**

Surinder Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gurbinder Sidhu, Advocate for
Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

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.2 & 3 to protect the life and liberty of the petitioner from the hands of respondents No.4 & 5.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner is an NRI and is residing in Canada and he frequently visits his native village to maintain his land and ancestral house. On an earlier occasion, due to some property dispute, the petitioner lodged an FIR No.44 dated 15.04.2015 under Sections 307 & 34 of the Indian Penal Code, 1860 (for short

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‘IPC’) and Section 27/54/59 of Arms Act, at Police Station Nathana, District Bathinda against respondent No.4 and his uncle Nazam Singh, who has been died, in which concession of regular bail was granted to them. In the said FIR, charges were framed against respondent No.4 and his uncle Nazam Singh under Sections 307 & 34 of IPC and on account of effecting a compromise on 05.12.2016, they were acquitted by learned trial Court on 15.12.2016. It is further contended that after death of Nazam Singh, respondent No.4, in connivance with respondent No.5, again tried to disturb the peaceful life of the petitioner and also tried to violate the terms and conditions of the compromise. Thereafter, the petitioner sent a legal notice dated 28.10.2024 (Annexure P-1) to respondent No.4 to abide by the terms and conditions of the compromise. Further, on 01.02.2024, respondents No.4 & 5 along with one Bira stopped the petitioner, when he was going to Bus Stand, Nathana and they threatened him to teach a lesson for registering the FIR and for not allowing respondent No.4 to open the door on his side. Thereafter, immediately, the petitioner approached the jurisdictional police authorities on the same day i.e. 01.02.2024 to lodge a complaint/DDR against the culprits, but in vain. Having left with no other option, the petitioner approached respondents No.2 & 3 by submitting a legal notice dated 04.02.2025 (Annexure P-2) to protect his life and liberty from the hands of respondents No.4 & 5 and their henchmen, but till date, no action has been taken thereon.

3. Learned counsel for the petitioner further submits that the

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petitioner would be satisfied, in case a direction is issued to respondent No.3 to consider and decide the legal notice dated 04.02.2025 (Annexure P-2) served by him in a time bound manner.

4. Notice of motion to the official respondents only.

5. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, accepts notice on behalf of respondents No.1 to 3-State. Learned counsel for the petitioner is directed to supply copy of complete paperbook to learned State counsel during course of the day.

6. Keeping in view the prayer made by the petitioner and without commenting anything on the merits of the case, present petition is disposed of with a direction to respondent No.3 to consider and decide the legal notice dated 04.02.2025 (Annexure P-2) served by the petitioner within a period of four weeks from the date of receipt of certified copy of this order, in accordance with law.

11.03.2025

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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No