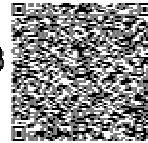


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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRWP-5113-2024 (O&M)
Date of decision: 13.08.2025

Sushil Raju Thapar**...Petitioner**

Versus

State of Punjab and others**...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Mr. Durgesh Garg, AAG, Punjab.

Mr. Vipul Babtua, Advocate
for respondent No. 4. (Through VC)

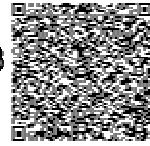
MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking directions to respondents No. 2 and 3 to protect his life and liberty at the hands of respondents No. 4 and 5.

2. While issuing notice of motion on 30.05.2024, the following order was passed by this Court:

“Learned counsel for the petitioner has drawn attention towards the order dated 21.09.2020 passed by this Court in CWP-12476 of 2020 (Annexure P-1), whereby respondent No.5 – Yogesh Maini had sought to get the alleged illegal construction of the petitioner to be stopped. The petition was dismissed by this Court with exemplary cost of `1 lac. Respondent No.5 then filed a civil suit before the Civil Judge (Jr. Divn.), Ludhiana in which petitioner moved an

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application under Order 7 Rule 11 CPC. That application was allowed on 23.02.2021 and the plaint was rejected. That order was challenged by respondent No.5 by filing appeal before learned District Judge, Ludhiana and the same was dismissed vide order dated 09.12.2021 (Annexure P-3). Not only this, respondent No.5 had also filed LPA against the order dated 21.09.2020 (Annexure P-1) before the Division Bench of this Court, which was dismissed on 25.04.2024 vide Annexure P-4.

Learned counsel contends that not deterred by the various orders passed against respondent No.5, he colluded with respondent No.4, i.e. - S.H.O., Police Station Division No.8, Ludhiana and moved a complaint alleging illegal constructions made on the part of the petitioner. The S.H.O. sent complete police force to the hotel of the petitioner and disturbed the guests. Learned counsel contends that petitioner is now being threatened time and again by respondent No.4. Petitioner has made a detailed representation dated 24.05.2024 (Annexure P-7) to the Commissioner of Police, Ludhiana, but no action has been taken so far.

Notice of motion to respondent Nos.1 to 4 only.

Mr. Vinay Kumar Malhotra, DAG, Punjab accepts notice on behalf of respondent Nos.1 to 4 – State.

Having regard to the allegations made by the petitioner, reply be filed by way of affidavit of respondent No.3 – Commissioner of Police, Ludhiana, District Ludhiana on 09.08.2024.

In the meantime, said respondent No.3 shall personally ensure to provide necessary protection to the petitioner after assessing the threat perception, if any to his life and liberty. It is further directed that respondent No.4

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shall not be involved in any action pertaining to the petitioner.

3. Reply by way of affidavit of the Commissioner of Police, Ludhiana, has been filed by the respondent-State. Learned State counsel has submitted that the aforesaid order, passed by this Court, was duly complied with. It is submitted that the allegations levelled against the police officials are false and baseless. Even otherwise, respondent No. 4, who was previously posted as SHO at Police Station Division No. 8, Ludhiana has since been transferred. During the course of inquiry, it has been found that now the petitioner has no threat to his life and liberty.

4. Learned counsel for the petitioner could not dispute the factual position.

5. In view of the above, the present petition is disposed of as no further orders are called for in the matter. However, it shall be open for the petitioner to approach the local police in case he feels any threat to his life and liberty even in future and the police authorities concerned shall take necessary action to protect the life and liberty of the petitioner after assessing the degree of threat as alleged by him.

13.08.2025*Waseem Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*