
(2011) 04 P&H CK 0104

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-11082 of 2011 (O and M)

Gulshan Sapra

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 18-04-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482

Citation : (2011) 04 P&H CK 0104

Hon'ble Judges : Daya Chaudhary, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Daya Chaudhary, J.—Application is allowed as prayed for. Crl. Misc. No. M-11082 of 2011.

2. The present petition u/s 482 Code of Criminal Procedure has been filed on behalf of Gulshan Sapra for issuing directions to Respondent No. 2 to protect his life and liberty from the hands of Respondents No. 4 to 6.

3. Learned Counsel for the Petitioner contends that continuous threats are being given to the Petitioner but no action has been taken against the accused persons inspite of making representation to Superintendent of Police, Panipat. Learned Counsel further submits that beatings were also given to the Petitioner and the Petitioner has also filed a complaint before Chief Judicial Magistrate, Panipat, which is still pending.

4. Heard the arguments advanced by learned Counsel for the Petitioner and have also perused the documents available on the file.

5. Although the argument of the learned Counsel for the Petitioner is that beatings were given to the Petitioner but nothing is there on the record to show that on which date beatings were given. Only it has been mentioned in the petition that Petitioner has been called by Respondents No. 4 and 5 through

mobile and threats were given to kill him along with his family members. The averments made in the petition has not been made in the representation allegedly given to Superintendent of Police, Panipat. There is inconsistency in the averments made in petition as well as in the representation given to S.P., Panipat and since the Petitioner has already availed an alternative remedy of filing complaint, which is still pending before the Chief Judicial Magistrate, Panipat, no directions can be issued. The petition being devoid of any merit is hereby dismissed.