

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

LPA No.445 of 2016 (O&M)

Date of Decision : 19.5.2016

Rakesh

....Appellant

Versus

State of Haryana and others

....Respondents

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MRS.JUSTICE LISA GILL**

....

Present: Mr.Manish Soni, Advocate
for the appellant.

Mr. Sumit Mahajan, Addl.Advocate General, Haryana
for the State.

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MAHESH GROVER, J.

C.M.No.1686-LPA of 2016

C.M.is allowed. Annexure A-3 is taken on record.

C.M.No.1687-LPA of 2016

Having regard to the averments made in the application,
the same is allowed and the Letters Patent Appeal is preponed to
today.

LPA No.445 of 2016

The appellant is in appeal against the judgment of the
learned Single Judge dated 9.2.2016 whereby his prayer for security
had been negated after noticing that the appellant himself was
involved in as many as 20 cases of serious nature including under
Section 302 IPC.

Learned counsel for the appellant contends that he has serious apprehension to his life and therefore, he should be provided with adequate security.

After hearing the learned counsel for the appellant, we are of the opinion that assessment of threat perception to an individual is the function of the state authorities conferred with the power to maintain law and order. We cannot substitute our opinion in place of the opinion expressed by such authorities.

The findings of the learned Single Judge are based on the reply submitted by the official respondents. However, since the appellant has continued to insist that he is indeed threatened, we would still leave it open to the official respondents to look into the threat perception of the appellant and in case they come to the conclusion that the appellant does indeed need such a security cover, he may be provided with adequate police protection on payment of charges which have been disclosed to the Court and are extracted herebelow :-

Sr.No.	Rank	Proposed rates (per day of 8 hours
1.	Inspector	Rs.2000/-
2.	Sub Inspector	Rs.1900/-
3.	Asstt. Sub Inspector	Rs.1850/-
4.	Head Constable	Rs.1150/-
5.	Constable	Rs.1100/-

We make it amply clear that our order should not be construed to be any comment deviating from the judgment of the learned Single Judge and it is open to the official respondents to evaluate the threat perception particularly from one Narender because

of the repeated persistence of the appellant. We further make it clear that in case such a security is to be provided, the respondents shall ensure that the appellant deposits the charges for a period of six months for the security to be provided to him.

Appeal stands disposed of.

(MAHESH GROVER)
JUDGE

19.5.2016
dss

(LISA GILL)
JUDGEs