

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4727 OF 2014

Porthukaran Lazar Thomas. ..Petitioner.

Versus

Commissioner of Police & Others. ..Respondents.

Ms. K. P. Reshma Ravi i/b K. P. Ravi & Co., for the Petitioner.
Mrs. M. M. Deshmukh, APP for the State.

Coram : Ranjit More &
Dr. Shalini Phansalkar-Joshi, JJ.

Date : **February 23, 2017.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner and learned APP for the State. Perused the affidavit filed by Dr. Vinaykumar M. Rathod, DCP-VII, Mumbai. Affidavit discloses that on the basis of Petitioner's complaint, CR No.93 of 2014 was registered with Vikhroli Police Station on 13th April 2014 for the offence punishable under section 326 read with 34 of the Indian Penal Code, 1860 against 4 persons. Affidavit further discloses that on 17th April 2014, sections 143, 147, 148, 323, 427, 506(II) of the Indian Penal Code, 1860 were added in the said CR. Investigation into the said CR is also completed and charge-sheet is filed before the concerned Court. Accused were, however, released on anticipatory bail. Police thereafter took preventive action against accused persons. Two accused are externed and good behavior bond is taken from other four accused persons. In these circumstances, the grievance raised in the writ petition may

not survive for consideration.

2. Learned Counsel appearing for the Petitioner submitted that police protection granted to the Petitioner by this Court under the order dated 12th January 2015 may be continued. Affidavit filed on behalf of the Respondent does not disclose any threat perception to the life of the Petitioner. The Petitioner in case of any threat perception is always at liberty to apply for police protection before the appropriate authority and appropriate authority would decide the same taking into consideration the threat perception to the Petitioner. In the event such an application is made, the same shall be decided on its own merits. Interim order stands vacated. Petition stands disposed of.

[Dr. Shalini Phansalkar-Joshi, J.]

[RANJIT MORE, J.]