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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 1371/2017

PANKAJ KUMAR MISHRA Petitioner

Through: Mr.Abhishek Choudhary, Adv.

versus

UNION OF INDIA & ANR. Respondents

Through: Mr.Kirtiman Singh, CGSC with
Mr.Waize Ali Noor, Adv. along with
Mr.S.S.Sejwal, Law Officer, CRPF.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **04.05.2017**

The petitioner has written a letter to the Chief Justice, Delhi High Court, intimating her that when he expressed his opinion on social media about the Home Minister, he was harassed and troubled by superior officers in the barrack, forcing him to jump the wall in order to save his life. The aforesaid letter is being treated as a writ petition.

The petitioner, who is a Constable (CRPF), serving in 221 VIP Battalion at Durgapur, has stated that after the Sukma incident in the state of Chhattisgarh, the Home Minister had made a statement condemning the Act of Naxals. The petitioner felt that this was not commensurate with the gravity of the situation and the occasion demanded a more muscular response.

The narration in the aforesaid letter appears to be exaggerated and

vague as no person who assaulted him has been named. The petitioner has only alleged that superior officers tried to kill him, forcing him to run away.

This Court has been informed that a complaint also has been lodged in local police station at Durgapur for the petitioner having absconded/deserted the barracks.

Mr. Kirti Maan Singh, the learned Central Government Standing Counsel, assures this Court that the allegations of the petitioner shall be inquired into by a superior officer and further assured this Court that no physical harm shall be caused to the petitioner. In case, the action of the petitioner requires any proceedings to be initiated against him, the same would be done only after observing the due process of law.

Mr. S.S. Sejwal, Second-in-Command (Law Officer), CRPF is present in Court.

Looking at the fragile mental condition of the petitioner, this Court directs him to contact Mr. S.S. Sejwal (Contact No.9654662597 and 011-26104912) who will facilitate his reporting before the Director General, CRPF, CGO, New Delhi on 06.05.2017. This direction is being given so as to remove any fear in the mind of the petitioner that he shall be harmed in an illegal way.

On interacting with the petitioner, it appeared that there is some apprehension in his mind of being treated harshly because of his having commented on the conduct of the Home Minister. The apprehension may not be genuine but considering that he is a member of the armed force, it is expected of the DG (CRPF) to look into his grievance and ensure that no harm is caused to him. If at all the petitioner is found to be guilty of any misconduct, he may be proceeded against but only after observing the due

process of law.

This Court trusts and hopes that the DG(CRPF) shall look into the matter and would take a suitable decision in that regard.

The writ petition stands disposed of.

Dasti under the signatures of the Court Master.

ASHUTOSH KUMAR, J

MAY 04, 2017

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