

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.1228 OF 2018

Pankaj Jagawat

...Petitioner

vs.

Deputy Commissioner of Police Protection

Unit and Anr.

...Respondents

Mr.Rizvan, Senior advocate i/b Rizvan Merchant & Associates for the Petitioner.

Smt. A. S. Pai, APP for the Respondent/State.

Mr. Kambl, Sr. P.I., Protection Branch.

**CORAM : B. P. DHARMADHIKARI &
SARANG V. KOTWAL, JJ.**

DATE : 26/11/2018.

P.C.:

. Without prejudice to the contention learned counsel for the petitioner upon instructions states that the petitioner even today is ready and willing to pay security charges.

2. Learned APP upon instructions however pointed out that the order dated 6/2/2018 impugned before this Court is no longer in existence because of conscious decision taken on 25/2/2018 to withdraw the security as authority felt that the petitioner no longer needs it.

3. Respondents have not filed any reply, therefore this development is not on record. Petitioner in affidavit pleaded that security has been withdrawn on 24/2/2018. Vide impugned order dated 6/2/2018 the petitioner was asked to deposit previous balance and also amount towards future security in advance. The petitioner has complied with this

order in two installments and balance amount has been paid on 26/2/2018.

4. Learned counsel for petitioner points out that even today threat perception is very much there and hence the petitioner is not in position to look after his business or join the business place.

5. Keeping all these contentions open as we find that asking the Government to file reply and seek counter will entail loss of public time, if security threat exists, the respondent has to act immediately to protect him. Learned APP has made the said statement upon instructions from Sr. P.I. Kamble, Protection Branch and hence we accept that statement.

6. We direct the petitioner to make appropriate representation pointing out all these developments, security threats faced by him within 48 hours from today. If such representation is made the Competent Authority shall consider it as per law within 1 week.

7. With these directions, we dispose of the writ petition with liberty to the petitioner to again approach this Court, if any cause of action arises.

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)