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

+ **W.P.(CRL) 1172/2018**

RAJ KUMAR SAINI

..... Petitioner

Represented by: **Mr. Mithilesh Kumar Pandey,**
Advocate.

versus

UNION OF INDIA & ANR

..... Respondents

Represented by: **Mr. Manish Mohan, CGSC for**
Union of India/respondent No.1
and **Ms. Manish Saroha,**
Advocate.
Mr. Rahul Mehra, Standing
Counsel for State, **Mr. Anuj**
Jain and **Mr. Chaitanya Gosain,**
Advocates with **ACP Sanjay**
Dalal, **ACP Security, Delhi**
High Court.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.04.2018

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Crl. M.A. No. 7129/2018 (Exemption)

Allowed, subject to all just exceptions.

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1. By this petition, the petitioner states that he is a member of Parliament from Kurukshetra, Haryana and was initially granted 'Y+' security which was downgraded to 'Y' and is now upgraded to 'Y+' security since 8th August, 2017. The petitioner wants further upgradation of the security.

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2. Case of the petitioner is that riots took place in 2016, in Haryana and there was an attack on the petitioner's life and property for which FIR No. 912 dated 17th October, 2017 was registered at PS Thanesar, District Kurkshetra. Learned counsel for the petitioner states that after the last review, the Haryana Government has withdrawn the cases of the accused resulting in the release of the accused in the State. Thus the petitioner feels that there is an enhanced threat perception.

3. The petitioner was provided 'Y' security cover at the time when the incident took place and thereafter on the application of the petitioner dated 23rd February, 2016, on the same day itself his security cover was upgraded to 'Y+' security. But on a review conducted by the Security Categorisation Committee it was decided to down grade the security cover of the petitioner to 'Y' vide order dated 15th June, 2017. On further review the security of the petitioner has already been upgraded to 'Y+' under the Central List vide order dated 8th August, 2017.

4. As per the report submitted by ACP, Headquarter for Special Commissioner of Police, Security, threat perception of the petitioner was weighed and it was decided that 'Y+' security to the petitioner is adequate and there is no need of further upgrading the security to 'Z+' or any other category. Learned counsels for the respondents state that the accused in the FIRs which have been withdrawn were already on bail and not in custody.

5. Considering the report of ACP, Headquarter for Special Commissioner of Police, Security, no ground is made out to issue any directions to the respondents. Needless to note that as per the rules as and when review is conducted, the threat perception to the petitioner would be

weighed and security cover as and if required would be provided.

6. Petition is dismissed.

APRIL 19, 2018

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MUKTA GUPTA, J.