

S.No.118

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

CRM-M-9027 of 2019 (O&M)

Date of Decision:27.02.2019

Tanish Kumar Jain (minor)

through father

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Rajbir Sehrawat, J.(Oral)

This is a petition seeking protection to life and personal liberty of the petitioner; who apprehends threat from his real uncles, aunts and their children.

Counsel for the petitioner has contended that the grandmother of the petitioner had executed a Will in favour of the petitioner. Due to this, certain properties have come to the exclusive share of the petitioner. On account of this, respondents No.4 to 9 are having their private grudge against the petitioner. As a result, the petitioner was once attacked also, which resulted into head injury. It is further submitted that for the said injury, already an FIR No.28 dated 19.02.2019 under Sections 323, 325, 506, 34 IPC has been registered. However, the petitioner still apprehends danger to his life and liberty.

Counsel for the petitioner submits that the situation is so grave that the petitioner is ready to get the Police security on payment basis. It is further submitted by the counsel that the petitioner would be ready to pay the actual expenses for a suitable security; which the Police may deem

appropriate to provide to the petitioner. However, the direction may be issued to the Police to protect the life and liberty of the petitioner.

In view of the above, but without commenting any further on merits of the allegations of the petitioner, it would not be unjustified if the Police is directed to provide security to the petitioner on payment basis.

Hence, it is directed that the Commissioner of Police, Ludhiana shall assess the threat perception to the petitioner. Accordingly, appropriate armed security shall be provided to the petitioner on payment basis. The rate at which the petitioner would be required to pay per month, as well as, the period for which the expenses are to be deposited in the first instance; shall be determined by the Commissioner of Police, Ludhiana. On payment of the expenses so to be determined by the Commissioner of Police, Ludhiana, the petitioner shall be provided the armed security; as mentioned above.

However, it is clarified that the above-mentioned police security shall be provided to the petitioner only after the deposit of the expenses so determined, as mentioned above.

Disposed of.

February 27, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No