

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

**CRWP No. 5025 of 2020 (O&M)
DATE OF DECISION : 20.07.2020**

Deepak Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vikram Singh, Advocate,
for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

The petitioner is seeking issuance of a writ in the nature of mandamus, directing the official respondents to protect his life and liberty, as he apprehends threat at the hands of private respondents. Further prayer has been made for transferring the investigation of case FIR No.001 dated 01.01.2020 under Sections 323/324/34/506 IPC registered at Police Station Cheeka, District Kaithal (Annexure P-2).

2. Learned counsel for the petitioner contends that petitioner is working in Mittal Rice Mills. On 31.12.2019 at about 7.00 PM, he along with his friend Rohit Kumar was going on his cycle to the said mill and when they reached near Aman Palace, four persons came out from an I-20 car and caused injuries to the petitioner with the help of *gandasi*. They broke the leg of petitioner. The matter was reported to police and accordingly FIR in question was recorded. The petitioner received several grievous injuries on his nose, head and other parts of the body, but police has registered FIR merely under

Sections 323/324 IPC though more stringent sections ought to have been invoked.

3. In these circumstances, the petitioner submitted various applications to the police authorities but the same have not been adverted till date while on the other hand they are receiving threats from the accused in the aforesaid FIR. Hence, this petition.

4. Heard.

5. Without commenting on the merits of the petition and the averments contained therein, the writ petition is disposed of with limited observation that respondent No.3- Superintendent of Police, Kaithal, to whom application dated 19.02.2020 (Annexure P-5) was submitted, would go through the contents of the application along with the contents of present writ petition, by treating the same as supplementary representation and ascertain/verify the threat perception of the petitioner. If deemed appropriate, necessary steps then would be taken confined only to protect the life and liberty of the petitioner. Rest of the allegations of the petitioners are matter of investigation/trial arising out of the FIR already registered.

6. With the aforesaid observation, the writ petition stands disposed of.

JULY 20, 2020
shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No