

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

259

CRWP-2330-2021

Decided on : 27.09.2021

Aashish

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

(Through Video Conferencing)

PRESENT: Mr. Vishal Yadav, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

VIKAS BAHL, J. (Oral)

The present Criminal Writ Petition has been filed under Article 226 for issuance of criminal writ in the nature of mandamus for protecting the life and liberty of the petitioner.

The case has a checkered history and apparently it seems from some orders that at one stage, on 14.12.2018, police protection was granted to the petitioner.

Learned State counsel has submitted that as per the enquiry report dated 06.04.2021, at present there is no threat to the life of the petitioner and thus, there is no requirement to grant police protection to the petitioner.

Learned counsel for the petitioner, in rebuttal, has submitted that the said report has been made without hearing the petitioner. He has further submitted that he would give a detailed representation in the present case to the respondent No. 3 i.e. S.P., Panipat, District Panipat and

he would be satisfied in case the respondent No. 3 considers the same after hearing the petitioner and after assessing the threat perception, passing appropriate directions regarding the same.

Learned State counsel has submitted that although, he has instructions to oppose the present petition on account of the fact that as per report dated 06.04.2021, there is no threat perception to the petitioner as of now and further giving any protection would amount to unnecessary burden on the exchequer but considering the aspect of the petitioner wanting to submit the detailed representation before the respondent No. 3, he would have no objection if the same is done.

Keeping in view the aforesaid facts and circumstances and without commenting on the merits of the case, present petition is disposed of with the liberty to the petitioner to move a detailed representation to respondent No. 3 bringing out all the facts on the basis of which the petitioner is apprehending threat to his life and liberty and the said representation be considered by the respondent No. 3 after hearing the petitioner in accordance with law and after assessing the threat perception to the petitioner, appropriate action be taken by respondent No. 3, in accordance with law. Same is directed to be done within a period of six weeks from the date the representation, once received by respondent No. 3.

(VIKAS BAHL)
JUDGE

27.09.2021

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No