

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

**CRWP-4748-2021
DECIDED ON: 7th JULY, 2021**

SUBE SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Manish Soni, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition in the nature of mandamus is filed for directions to protect life and liberty of the petitioner. There is a prayer that physical appearance of the petitioner should be dispensed with and he should be produced through video conference. In the alternative the prayer is in case the petitioner is to be produced for questioning, investigation or interrogation, adequate security measures be taken.

As per the pleadings, the petitioner was dealing with a real estate business in the district of Gurgaon and Rewari. FIR No. 541, dated 17th October, 2018 was registered at Police Station Model Town, Rewari against the petitioner. He was arrested on 1st May, 2021 from Indira

Gandhi International Airport Delhi and was produced before the Area Magistrate, Rewari and was taken on police remand. Thereafter, he was taken on police remand in various FIRs registered against him. In the petition, it is pleaded that petitioner apprehends that he may be eliminated.

Learned counsel for the petitioner placed reliance upon the order of this Court dated 21st December, 2020 passed in CRWP-6427-2020.

In pursuance of the notice of motion issued, the respondents have filed two replies, copies supplied to the counsel for the petitioner.

Learned State counsel submits that the petitioner is involved in 19 FIRs. In 17 FIRs, the investigation is complete. The matter is being investigated in two FIRs and remand has been sought as per law. He relies upon para 6 of the reply/status report filed by way of an affidavit of Rajeev Deswal, HPS, Deputy Commissioner of Police, Crime, Gurugram attested on 1st July, 2021. He further submits that the operation of the order 21st December, 2020 passed in CRWP-6427-2020 is stayed.

Learned counsel for the petitioner submits that in view of para 6 of the reply, the present petition be disposed of.

Para 6 is quoted below:

“6. That for providing protection to the petitioner, the deponent has issued the following guidelines/instructions to all the Assistant Commissioners of Police, Crime, Gurugram:-

- i. The officials will be deputed in three shifts of eight hours each. The incharge of the team will be officer of the rank of Sub-Inspector and entry will be made in the General Diary.*
- ii. Arms and Ammunition will be checked properly by the Incharge at the time of assignment of duties. The*

official deputed on sentry duty will be provided proper arms and ammunition along with torch, for the building in which the petitioner will be kept for interrogation. No person will be allowed to enter the building without proper identification and scrutiny.

- iii. The petitioner will be brought outside the building/cell with proper security arrangements. The meals prepared in the local crime unit will be provided to the petitioner after testing by the Chief Security Officer.*
- iv. The Unit Incharge will be responsible for the arms, ammunition, torch and arrangements of light in case of failure of electricity.*
- v. The leave of the officials deputed for the above duties will only be sanctioned by the higher officers.*
- vi. The Assistant Commissioners of Police, Crime-1 and Crime-2 will be responsible for arranging at least three Govt. vehicles and appropriate police force as and when the petitioner is taken for medical examination and for producing in the concerned Court. The ACP Crime-1 and Crime-2 will also be responsible to arrange proper police force for the route from the cell to hospital and hospital to the Court for purpose of protection of the petitioner.*
- vii. The officials deputed for duty will not leave their place without alternate arrangements, even for the natural call. The officials deputed for duties will not use mobile phone and other electronic items, except in case of urgency.*
- viii. One rider and PCR will be deployed in a proper condition on the main gate and outer gate along with proper arms and ammunition.”*

The Court is duty bound under Article 21 of the Constitution

of India to safe guard the life and liberty of the citizens.

In view of para 6 of the reply, the steps mentioned therein are sufficient to meet the apprehension of the petitioner.

The petition is disposed of accordingly.

7th JULY, 2021

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>