

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

CRWP-7833-2021
Date of Decision:-19.08.2021.

Jatin Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a petition under Article 226 of the Constitution of India for directing respondent Nos.2 and 3 to protect the life and liberty of the petitioner and his family members.

It is submitted by learned counsel for the petitioner that the accused persons in the FIR are roaming freely and they are threatening the petitioner. However, a perusal of the representation dated 27.7.2021 (Annexure P-3) would show that the primary prayer in the same is for adding some offences in the FIR and for carrying out the investigation properly.

Learned counsel for the petitioner submits that as far as his grievance with respect to the investigation not being proper or some offences not being added, he would seek his alternative remedy but however, as far as the danger to

his life and liberty is concerned, respondent No.2-Senior Superintendent of Police, Bathinda, may kindly be directed to look into the said aspect.

Learned State counsel states that he has no objection in case the petitioner moves a representation to respondent No.2 with the limited prayer of protection of his life and liberty and respondent No.2 is directed to consider the same and take appropriate action, in accordance with law.

Accordingly, the present Criminal Writ Petition is disposed of by granting liberty to the petitioner to move a representation to respondent No.2 with a limited prayer for protection of his life and liberty and in case, such representation is moved, then respondent No.2 will look into it and take action in accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioner and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any case.

Nothing stated above shall be construed as an expression of opinion on the merits of the case.

(VIKAS BAHL)
JUDGE

August 19, 2021.
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.