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

CRWP-8057-2021 (O&M)

Date of decision : 08.09.2021

Sanga Sunder Mahto

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Shivya Sehgal, Advocate for the petitioner.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present Criminal Writ Petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the official respondents to protect the life and liberty of the petitioner.

It has been submitted that with respect to the same, a detailed representation dated 10.08.2021 (Annexure P-4) has been given to respondent No.2. A perusal of the same would show that certain allegations have been made against the police officials also and it has been stated that on account of the acts as stated in the said representation, the petitioner has an apprehension to his life and liberty and there are other prayers also made in the said representation.

During the course of arguments, learned counsel for the petitioner has submitted that at this stage, she would be limiting the prayer to the protection of life and liberty of the petitioner and, therefore, prays that respondent No.2 be directed to consider the representation dated 10.08.2021 (Annexure P-4) on the limited aspect of protection of life and liberty of the

petitioner.

Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Ms. Jaspreet Kaur, AAG, Punjab appears and accepts notice on behalf of respondent Nos.1 to 3 and on a specific query put by this Court, she has stated that she has no objection in case, respondent No.2-Commissioner of Police, looks into the representation dated 10.08.2021 (Annexure P-4) with a limited prayer for only protection of life and liberty of the petitioner and takes appropriate action in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.2-Commissioner of Police, to look into the representation dated 10.08.2021 (Annexure P-4) with a limited prayer for only protection of life and liberty of the petitioner and after making necessary enquiries, respondent No.2 shall take appropriate 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 with a limited prayer aforesaid.

In view of what has been observed above, the present Criminal Writ petition is disposed of in the abovesaid terms.

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

08.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No