

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

CRWP No.9289 of 2021

Date of Decision:-01.10.2021

Sandeep Nanawati

.....Petitioner.

Versus

State of Punjab and others

.....Respondents.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Rajendra Kanaiyalal Golani, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner herein seeks the issuance of a writ in the nature of mandamus directing respondents No.2 to 4 not to take any coercive action against him in the eventuality of any criminal complaint being filed by respondents No.5 to 14 against him or his associates or staff members and also to look into his grievance by taking appropriate legal action against the said private respondents and to protect his right to life and freedom as well.

However, Ms. Jaspreet Kaur, learned Assistant Advocate General, Punjab, who has joined the proceedings on behalf of respondents No.1 to 4 in this case in pursuance of the copies of the instant petition having been sent to the respondent-State in advance, apprises the Court that a criminal case already stands registered against the petitioner and two

more persons at Police Station Rama, District Bathinda, under Section 420 IPC vide FIR No.43 dated 09.03.2020 and the petitioner has not yet joined in the investigation of the same despite the issuance of notices to him for this purpose.

At this stage, learned counsel for the petitioner seeks permission to withdraw the instant petition while submitting that the petitioner is having threat perception qua his life at the hands of respondents No.5 to 14 and therefore, he would be moving a fresh representation to respondent No.2-Senior Superintendent of Police, Bathinda, exclusively praying therein for the protection of his life only and he prays that the above-said respondent be directed to look into and to take appropriate action on his fresh representation within some specific time frame.

Learned State counsel submits that she has no objection to the withdrawal of the instant petition and also to the above-discussed prayer as made by learned counsel for the petitioner qua the protection of the life of the petitioner.

Resultantly, the petition in hand stands dismissed for having been withdrawn with a direction to respondent No.2 that in case, the petitioner moves any fresh representation to him restricting his prayer therein to the protection of his life only, the said respondent shall look into the same and if the petitioner would be found to be genuinely deserving the protection of his life, then this respondent shall take appropriate action, strictly in accordance with law, in the given set of the facts and

circumstances of the matter, preferably within a period of ten days.

It is further clarified that this order shall, in no manner, be construed to be a shield to the petitioner against the proceedings/action arising out of the above-mentioned FIR and shall also not be taken to be an obstruction/hindrance in the investigation proceedings relating to the same.

October 01, 2021

Yag Dutt

(MEENAKSHI I. MEHTA)

JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*