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

CRWP-9432-2021

Date of decision : 04.10.2021

Rakesh Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Naveen Bawa, Advocate for the petitioner.
(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

In the present Criminal Writ Petition filed under Articles 226/227 of the Constitution of India, primarily, two prayers have been made by the petitioner. First prayer made is with respect to protection of life and liberty of the petitioner. Second prayer is for conducting the fair and impartial investigation in complaint dated 24.05.2021 (Annexure P-3).

Learned counsel for the petitioner has submitted that he restricts his prayer in the present petition to the aspect of protection of life and liberty of the petitioner only.

Learned counsel for the petitioner has submitted that the petitioner has submitted a detailed representation dated 03.09.2021 (Annexure P-4) to respondent No.2 for protection of his life and liberty and certain instances have been mentioned in the same, on the basis of which, the petitioner has reasonable apprehension to his life and liberty. It is submitted that the petitioner will be satisfied in case, respondent No.2 is directed to look into representation dated 03.09.2021 (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, Mr. Sarabjit S. Cheema, AAG, Punjab appears and accepts notice on behalf of respondent Nos.1 to 3 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Commissioner of Police, looks into the representation dated 03.09.2021 (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 03.09.2021 (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.

04.10.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No