

CRWP-9562-2021

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

CRWP-9562-2021

Date of decision:11.10.2021

Dinesh

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikas Gulia, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

This is a petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect the life and liberty of the petitioner at the hands of some unknown persons as they threatened to kill him during his physical appearance before the Courts; and to produce him in each and every case of hearing through Video Conferencing.

Learned counsel for the petitioner submits that the petitioner is a convict and there are 9 FIRs pending or registered against him in different districts in the State of Haryana. It is further submitted that on 18.08.2021, when the petitioner was physically produced before Additional Sessions Judge, Panipat, in case bearing FIR No.188 of 2018 registered under Section 379-B read with Section 34 IPC, then some unknown persons had threatened to kill him very soon. The petitioner at that time brought the matter to the notice of the local police, but the persons could not be apprehended. It is prayed that the petitioner be allowed to appear before the different Courts through Video Conferencing.

CRWP-9562-2021

Learned counsel for the petitioner relies upon the judgment passed by the Hon'ble Supreme Court in case titled 'Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and another, 2005(1) RCR (Criminal) 988 (SC)'.

Learned State counsel, on the instructions from Superintendent, Central Jail, Ambala, submits that he has no objection, if the petitioner is allowed to be produced before the different Courts as the facility of Video Conferencing is available in Central Jail, Ambala.

I have heard learned counsel for the parties.

Since there are as many as 9 FIRs pending or registered against the petitioner in different districts in the State of Haryana, he has to appear there physically. The petitioner is having a threat, which was forwarded by some unknown persons to him on 18.08.2021 and the matter was brought to the notice of the local police, but somehow the unknown persons, who extended the threat, could not be arrested and they managed to run away. Even there is no objection from the State counsel as the facility of Video Conferencing is available in Central Jail, Ambala.

In view of the above, the present petition is allowed and the Superintendent, Central Jail, Ambala, is directed to produce the petitioner in different Courts in the State of Haryana through Video Conferencing.

It is made clear that as and when the personal appearance of the petitioner is required by the trial Court, he shall be produced before it.

11.10.2021

ishwar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No