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

CRWP-10984-2021

Date of decision : 07.12.2021

Surjit Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rahul Kumar Adia, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.
(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ, order or direction to respondent No.3 to protect the life and personal liberty of the petitioner.

Learned counsel for the petitioner has stated that the petitioner has submitted a representation dated 02.10.2021 (Annexure P-2) to respondent No.3-Senior Superintendent of Police, Kapurthala, in which it has been detailed that there is a threat to the life and liberty of the petitioner. He has further submitted that the petitioner would be satisfied in case, respondent No.3 is directed to consider the abovesaid representation with respect to only protection of life and liberty of the petitioner and after assessing threat perceptions to the petitioner, take appropriate action, in accordance with law.

Notice of motion to respondent Nos.1 to 4 only.

On advance notice, Mr. Sukhbeer Singh, AAG, Punjab appears

and accepts notice on behalf of respondent Nos.1 to 4 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.3-Senior Superintendent of Police, looks into the representation dated 02.10.2021 (Annexure P-2) 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.3-Senior Superintendent of Police, to look into the representation dated 02.10.2021 (Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioner and after making necessary enquiries and assessing the threat perception to the petitioner, respondent No.3 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.3 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.

07.12.2021*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**