

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

Criminal Writ Petition No.807 of 2022(O&M)

Date of Decision: February 09, 2022

Mukesh Baghel

...Petitioner

Versus

The State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Krishan Singh, Advocate
for the petitioner.

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HARINDER SINGH SIDHU, J.

Alleging threat to his life and liberty, the petitioner has filed this petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure for issuance of appropriate directions to the respondent – Police Officials to provide him security.

It is the case of the petitioner that he is a Press Reporter by profession and is also a Social Worker. Respondent No.5 was earlier posted as District Information Public Relations Officer, Palwal, where he allegedly committed certain acts of omission and commission, for which a complaint against him was filed by one Naresh Kumar Accountant. Respondent No.5 has since been served a charge-sheet under Rule 7 of the Haryana Civil Services (Punishment and Appeal) Rules 2016 by the Department.

The petitioner has further stated that respondent No.5 used to misbehave with all the press reporters of District Palwal and the petitioner

has made a complaint against respondent No.5 for causing loss to the Government. Thereafter, respondent No.5 and 6 started harassing the petitioner and threatened to kill him. The petitioner made a complaint dated 24.06.2021 to the Director General of Police, Haryana against respondents No.5 and 6. When no action was taken, the petitioner filed CRM-M-32944-2021 titled 'Mukesh Baghel vs. State of Haryana and others'. In that petition the petitioner had sought directions to take appropriate action against respondents No.5 and 6 for offences under Sections 420/467/46/471 IPC. After considering each and every allegation made by the petitioner, the petition was dismissed on 16.08.2021 finding no ground for issuance of any directions as prayed for therein. However, as far as the apprehension of the petitioner regarding threat to his life and liberty was concerned the Court granted liberty to the petitioner to move appropriate application to the concerned Superintendent of Police while observing as under:

“However, as far as the apprehension of the petitioner regarding threat to his life and liberty is concerned, it shall be open to the petitioner to move an appropriate application to the Superintendent of Police concerned for providing security. In case, any such application is filed, the Superintendent of Police concerned shall get the alleged threat perception examined and take necessary steps, if any are warranted under the facts and circumstances of the case.”

Alleging that no action was taken, the petitioner filed COCP-2222-2021 titled “Mukesh Baghel vs. Deepak Gahlawat”, wherein, notice was issued. Upon notice, the Deputy Superintendent of Police, City, Palwal submitted his Inquiry report dated 19.10.2021 (Annexure P-13) concluding that no

protection was required to be given to the petitioner.

Alleging that he is still being threatened by respondent No.5 and 6, he has filed the present petition, seeking directions to the official respondents to provide protection to him.

There is no ground to entertain the present petition. A detailed inquiry been conducted by DSP, City Palwal on the earlier representation of the petitioner seeking security. In the inquiry, it has been stated that the petitioner was repeatedly called for joining the inquiry and to get his statement recorded and produce evidence regarding his allegations. The petitioner did not get his statement recorded. He orally stated that respondents No.5 and 6 had been threatening him on phone. He also stated that on 02.10.2021, one Dinesh had threatened him in the waiting room of the Rest House, Palwal, during a Press Conference. As no CCTV Cameras were found installed inside the Waiting Room of Rest House, Palwal, statements of other journalists who attended the Press Conference were recorded. They all stated that no such incident had taken place in their presence. Respondent No.5 was also associated in the inquiry, who stated that the petitioner used to sit in the Media Centre and watch the news. He was suspected of selling the news to other channels after recording the same. The petitioner unnecessarily quarrelled with respondent No.5 and others. He was asked to desist from the same. Because of this, the petitioner started filing false complaints against respondent No.5. He stated that he never threatened the petitioner. It was concluded in the inquiry that no evidence had come forth to substantiate the allegations of the petitioner.

Accordingly, there is no merit in the present petition.

February 09, 2022

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Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No