

Brahmprakash

...Petitioner

Versus

State of Haryana & others

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Manoj Tanwar, Advocate
for the petitioners.

Mr. Rajat Gautam, DAG, Haryana.

ANOOP CHITKARA, J.

Fearing for life and liberty at the hands of the private respondent no.4, the petitioner, invoking the fundamental right of life guaranteed under Article 21 of the Constitution of India, has come up before this Court seeking protection through the State.

Learned counsel for the petitioner submits that the date fixed before the Court at Mumbai is 18.4.2022 and he will go by air to attend the Court and therefore, security be provided to him upto Delhi airport.

Given above, the petitioner shall appear before Commissioner of Police, Gurugram and show the summons of the concerned Court. The Commissioner of Police, Gurugram after being satisfied about the genuineness of such summons, shall provide adequate protection/security to the petitioner at his residence at Gurugram. It is made clear that the petitioner shall not go outside the boundaries of the place of his residence, except for medical necessities, to buy household necessities, and for bereavements in the families of the persons who are close to them. Further, the petitioner shall be granted protection upto the Delhi airport until he checks in the airport to take flight for Mumbai for attending the Court on 18.4.2022 and after that, the petitioner shall also be provided security from Delhi airport to his place of residence till 20.04.2022. Subsequently, in case the petitioner has any threat perception, he may file an application in this regard to the Commissioner of Police, Gurugram, who after analyzing the threat perception at his own level, shall provide security for one month more. This restriction saves the petitioner from apprehended risk and ensures that the protection is not flaunted.

The petition is allowed to the extent mentioned above. The petitioner shall be at

liberty to approach this Court in case threat perception still persists. However, it is clarified that in case the Commissioner of Police, Gurugram provides security to the petitioner beyond 20.4.2022 for further period of one month, then petitioner shall not go outside the boundaries of the place of his residence, except for medical necessities, to buy household necessities, and for bereavements in the families of the persons who are close to them and in case he does not do so, the security shall be withdrawn forthwith without any further reference to this Court.

All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

March 06, 2022
AK

Whether speaking/reasoned:	Yes
Whether reportable:	No.