

CRM-M No.2683 of 2022

224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.2683 of 2022
Date of Decision: 23.11.2022

Ramesh Kumar and another ...Petitioners

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. P.S. Dhaliwal, Advocate for the petitioners.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Rajesh Khandelwal, Advocate
for respondents No.11 to 15.

ANOOP CHITKARA, J.

1. Counsel for the State submits that out of 3 prayers, two prayers i.e. transfer of the matter to CBI and arresting of the respondents, have become infructuous as the investigation has been completed and out of all the accused, four were found innocent, five were arrested and two are absconding.
2. At this stage, counsel for the petitioners confines his prayer to protection of life and liberty.
3. Prayer being innocuous is accepted.
4. If the allegations of apprehension of threat to life turn out to be true, it might lead to an irreversible loss. Thus, in the facts and circumstances peculiar to this case, it shall be appropriate that the concerned Superintendent of Police, SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to the petitioner for one week from today. However, if the petitioner no longer requires the protection, then at their request, it may be discontinued even before the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of the petitioner.
5. This protection is subject to the stringent condition that from the time such protection is given, the petitioner shall not go outside the boundaries of the place of residence, except for medical necessities, to buy household necessities, and

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for bereavements in the families of the close relatives or close friends. This restriction saves the petitioner from apprehended risk and ensures that the protection is not flaunted.

6. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the petitioner is required in any cognizable case. It shall also be open for the petitioner to approach this Court again in case of any fresh threat perception.

7. **This order shall eclipse after thirty days from today.**

8. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

Petition is allowed qua protection of life and liberty to the extent mentioned above.
All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

23.11.2022
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Whether speaking/reasoned: Yes
Whether reportable: No.