

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

CRWP-1135 of 2022
Date of Decision: 08.02.2022

Davinder Kumar and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Priyanshu Kamra, Advocate
for the petitioners.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

(Through Video Conferencing)

ANOOP CHITKARA, J.(ORAL)

Fearing for life and liberty at the hands of the private respondents, the petitioners have come up before this Court seeking protection through the State, invoking the fundamental right of life guaranteed under Article 21 of the Constitution of India.

Notices served upon the official respondents through the State's counsel. Given, the nature of the order this Court proposes to pass, there is no requirement to issue notices to the private respondents.

If the allegations of apprehension of threat to their lives are found 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 has been authorized in this regard, grants protection to the petitioners for one week from today. However, if the petitioners no longer requires the protection, it may be discontinued even prior to the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities

upon the oral or written request of the petitioners.

This protection is subject to the stringent condition that from the time such protection is given, the petitioners shall not go outside the boundaries of the place of residence, except for medical necessities, to buy household necessities, and bereavements in the families of the close relatives or close friends. This restriction saves the petitioners from apprehended risk and ensures that the protection is not flaunted.

It is clarified that there is no adjudication on merits. It shall also be open for the petitioners to approach this Court again in case of any fresh threat perception. It is also clarified 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 petitioner's interrogation is required in any cognizable case.

The petition is disposed of in terms mentioned above.

(ANOOP CHITKARA)
JUDGE

February 08, 2022
Manpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No