

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

CRWP-1214-2022 (O&M)
Date of decision: 27.04.2022

Krishan @ Gatha

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikas Gulia, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

This petition under Article 226 of Constitution of India has been filed for issuance of a writ in the nature of mandamus for directing respondents No. 2 and 3 to protect the life and liberty of the petitioner at the hands of unknown persons as the petitioner is receiving threats and further to produce him before the Court on each and every date of hearing through Video Conferencing.

Reply by way of affidavit dated 31.03.2022 of the Superintendent, Central Jail, Ambala, already filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner was confined in District Jail Sonapat and thereafter transferred to District Jail, Ambala on 21.02.2021; and that the petitioner is involved in 29 cases, out of which 13 cases are pending in different courts in the States of Haryana and Chandigarh. He further submits that there are regular threats to the life of the petitioner and that the petitioner be allowed to appear before the different Courts through Video Conferencing.

Learned counsel for the petitioner relies upon the judgment of the Hon'ble Supreme Court in case titled 'Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and another, 2005(1) RCR (Criminal) 988.

Learned State counsel submits that as per the affidavit dated 31.03.2022, the facility of Video Conferencing is available in Central Jail, Ambala and the petitioner can be produced through video conferencing before the different courts in the States of Haryana as well as Chandigarh, if ordered so.

I have heard the learned counsel for the parties.

Since there are as many as 13 FIRs pending or registered against the petitioner in different Districts in the States of Haryana and Chandigarh, he has to appear there physically. The petitioner is having a threat to his life. Even as per the affidavit dated 31.03.2022 filed by the Superintendent, Central Jail, Ambala, the facility of video conferencing is available in the Central Jail, Ambala, and the petitioner can be produced through video conferencing before the different courts in the States of Haryana and Chandigarh.

In view of the above, the Superintendent, Central Jail, Ambala, is directed to produce the petitioner in different Courts in the States of Haryana and Chandigarh through Video Conferencing.

It is made clear that as and when the personal appearance of the petitioner is required by the Courts concerned, he shall be produced accordingly.

Disposed of in the above terms.

27.04.2022

Mangal Singh

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No