

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(111)

CRWP-1986-2022

Date of decision: - 07.03.2022

Abhey Kumar

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Dhivya Jerath, Advocate, for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a criminal writ petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. with a prayer of issuance of a writ, order or direction especially in the nature of mandamus for the issuance of directions to respondents No.1 to 4 for protection of life and liberty of the petitioner from the hands of private respondents No.5 and 6.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 23.02.2022 (Annexure P-3) to respondent No.3, in which, the averments with respect to the incident dated 22.02.2022 have been made on the basis of which there is a reasonable apprehension in the mind of the petitioner that there is threat to his life and liberty from private respondents. It is submitted that the petitioner will be satisfied in case the present petition is disposed of with a direction to respondent No.3 to consider the representation dated

23.02.2022 (P-3) only on the limited aspect of threat to life and liberty of the petitioner and after considering the threat perception, to take appropriate action thereon, in accordance with law.

Notice of motion to the respondents.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab, accepts notice on behalf of respondents No.1 to 4 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.3-Senior Superintendent of Police, Mansa, looks into the representation dated 23.02.2022 (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner and takes appropriate action, in accordance with law.

After considering the abovesaid facts and without commenting or expressing any opinion on merits of the case, this Court deems it appropriate to direct respondent No.3-Senior Superintendent of Police, Mansa to look into the representation dated 23.02.2022 (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner and after making necessary enquiries, respondent No.3 shall take appropriate action, in accordance with law.

In view of what has been observed above, the present criminal writ petition is disposed of in the abovesaid terms.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any other case.

March 07, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes
No