

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

**CRM-M-16144-2018
Date of decision : 12.10.2022**

Parsan @ Lambu

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : None for the petitioner.

Mr. Ramesh K. Ambavta, Asstt. Advocate General, Haryana.

PANKAJ JAIN, J. (ORAL)

Reply by way of affidavit of Deputy Superintendent of Police, Headquarter Jind has been filed on behalf of respondents No.1 and 3 along with Annexure R-1. The same is taken on record.

2. This is a matter pertaining to the year 2018 with the following prayer :-

- I. To protect the life & lib of the petitioner from the hands of members of one dangerous gang headed by one Satbir @ Jhabbal who have already murdered 3 co-accused of the petitioner and out of them on co accused namely Sumer was murdered in judicial court complex Jind despite the fact that he was in due custody & protection of the police and concerned local police have totally failed to protect his life from the members of above said Jhabbal gang in the interest of justice.
- II. To direct the official respondent no. 2 to transfer/shift the petitioner from District Prison Jind to District Prison Karnal.
- III. To get the presence/evidence of the petitioner via video

conferencing as there is threat to the life of the petitioner.

IV. To exempt the petitioner from filing the original/certified and legible copies of Annexure P-1 and P-2 as the same are not available with the petitioner.

V. Any other relief, which this Hon'ble Court may deem appropriate, may also be granted in favour of the petitioner.

3. State in its reply has submitted as under :-

“3. That the contention of the petitioner to the effect that he is apprehending danger to his life is concerned, in this regard it is submitted that as per record available in the office of the Superintendent of Police, Jind no representation of the petitioner or his family members has been found received. However, extra precautions for the protection of life of the petitioner, while he is to be produced in the courts to face the trial of the case, shall be taken in accordance with as per law. In this regard the Superintendent of Police, Jind vide WAN No. 25247-53/W dated 04.06.2018 has issued necessary direction to all concerned to ensure protection of the petitioner while producing in court. True copy of which is being annexed as Annexure R-1. It is further submitted that the above said facts clearly indicate that contention of the petitioner, who is involved in numerous cases of heinous offence like murder etc. could have some danger due to his own act and conduct, but the present allegations levelled in the petition are appears to be imaginary and false one. Not only this, except making vague statement of apprehending danger at the hands of the opposite gang members, no positive evidence has been brought on record as to how, on what date, under what circumstances and in whose presence, the petitioner was threatened. Hence, the present petition is liable to be dismissed, being devoid of merits.”

4. In view of the stand taken by the State and keeping in view that the matter is of the year 2018, nothing remains to be adjudicated at the hands of this Court in the present case.
5. Consequently, the present petition is dismissed as having been rendered infructuous.

October 12, 2022
Dpr

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No

(PANKAJ JAIN)
JUDGE