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

CRWP-2513-2022

Date of decision : 21.03.2022

Prem Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing respondent Nos.2 and 3 to protect the life, liberty and business of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner has filed representation dated 14.03.2022 (Annexure P-4) to respondent No.3-Senior Superintendent of Police, Sangrur, District Sangrur, in which, the averments have been made which would show that the petitioner has reasonable apprehension to his life, liberty and his business. He has also relied upon order dated 10.10.2012 passed by the

Coordinate Bench of this Court in CWP-20299-2012, decided on 10.10.2012.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case the present Criminal Writ Petition is disposed of with direction to respondent No.3 to look into the representation dated 14.03.2022 (Annexure P-4) only with respect to protection of life, liberty and business of the petitioner and after considering the threat perceptions, to take appropriate action in accordance with law.

Notice of motion to respondent Nos.1 to 4 only.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab appears and accepts notice on behalf of respondent Nos.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, looks into the representation dated 14.03.2022 (Annexure P-4) with a limited prayer for only protection of life, liberty and business of the petitioner and takes appropriate action in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.3-Senior Superintendent of Police, to look into the representation dated 14.03.2022 (Annexure P-4) with a limited prayer for only protection of life, liberty and business of the petitioner and after making necessary enquiries and assessing the threat perception to the petitioner, respondent No.3 shall take appropriate action in accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioner and it would be open to respondent No.3 to make his independent enquiry/assessment with regard to the representation with a limited prayer aforesaid.

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 case.

21.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No