

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

115

CRM-M-25598-2022
Date of decision: 06.06.2022

Amit Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mandeep Kaushik, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner, who is stated to be lodged in Bathinda Jail, is *inter alia* seeking directions to respondents No.1 and 2 for providing him with a bullet proof jacket in and outside the jail premises as he apprehends threat to his life at the hands of some of his rivals/gangsters. A prayer has also been made to provide adequate security to the petitioner both inside and outside the jail.

Since the petition is completely silent and vague as to how the petitioner apprehends threat to his life and why he requires a bullet proof jacket, a pointed query in the said regard was put to the learned counsel for the petitioner, who then submitted that it was on the basis of some social media report doing the rounds that he apprehends threat to his life.

Notice of motion to respondents No.1 and 2 only as learned counsel for the petitioner prays that service qua respondent No.3 be dispensed with.

On asking of the Court, Mr. Rohit Arya, DAG, Haryana

and Mr. Luvinder Sofat, AAG, Punjab, who are present in Court accept notice on behalf of respondent No.1-State of Haryana and respondent No.2-State of Punjab, respectively.

Learned State counsel submit that they are unaware about the aforementioned social media reports as neither any complaint nor any representation in the said regard has been made to them. They also submit that as per the instructions received there is no such grave danger to the life of the petitioner as has been pleaded.

Heard learned counsel and perused the relevant material on record.

The learned counsel for the petitioner has failed to bring to the notice of this Court any convincing material other than the above social media report, from which it could be inferred that the life of the petitioner was under any serious threat, which would warrant the issuance of directions, as prayed for. The social media report to which the learned counsel for the petitioner has referred to and only brought to the notice of this Court during the course of hearing today, is some statement purportedly made by a Superintendent of Police of the State of Uttar Pradesh, to the effect that two persons apprehended in the State of Uttar Pradesh had disclosed that they had planned to eliminate the petitioner. As already observed earlier, the learned State counsel have, however, feigned total ignorance about any such statement which is supposedly doing the rounds of the social media or even any danger to the life of the petitioner as has been pleaded today by the learned counsel for the petitioner. Though learned counsel for the petitioner has drawn the attention of this Court to Annexure P-2, wherein some

directions were issued by the Trial Court i.e. the Additional Sessions Judge, Gurugram to Superintendent, District Jail, Gurugram, to make adequate security arrangements for the petitioner as and when he was to be taken out of the jail for Court proceedings etc., therefore, it is evident that on an application moved by the petitioner, the trial Court concerned, after considering the alleged threat perception prevailing at that time, passed order dated 08.03.2019 (Annexure P-2).

The petitioner is lodged in the Central Jail, Bathinda which is already designated as a high security prison. However, in case, any cogent material to support the apprehension of the petitioner qua danger to his life comes to the fore, he would be at liberty to approach the authorities concerned by way of an appropriate application/representation in the said regard.

Accordingly, the instant petition is disposed of in the above terms.

06.06.2022

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No