

117

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

CRWP-5571-2022

Date of decision : 11.07.2022

Ragbir

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Rosi, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ in the nature of mandamus directing respondent Nos.2 and 3 to provide adequate security and protection to the life and liberty of the petitioner from the hands of private respondent.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 24.05.2022 (Annexure P-2) to the Superintendent of Police, District Nuh-respondent No.3 in which, it has been stated that although, FIR registered by the petitioner against respondent No.5 has been cancelled and a protest petition has been filed but he has been threatened to withdraw the same.

Learned counsel for the petitioner has further submitted that the petitioner would be satisfied in case, the present Criminal Writ Petition is disposed of with direction to respondent No.3-Superintendent of Police, to look into the representation dated 24.05.2022 (Annexure P-2) only with respect to protection of life and liberty of the petitioner and to take appropriate action in

accordance with law.

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

On advance notice, Mr. Praveen Bhadu, AAG, Haryana, 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-Superintendent of Police, looks into the representation dated 24.05.2022 (Annexure P-2) 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 facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.3-Superintendent of Police, to look into the representation dated 24.05.2022 (Annexure P-2) with a limited prayer for only protection of life and liberty 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.

11.07.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No