

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

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CRWP-6105-2022

Date of Decision: 23.06.2022

OMBIR AND OTHERS

... Petitioners

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Surinder Kumar Daaria, Advocate
for the petitioners.

Mr. Randhir Singh, Addl. A.G., Haryana.

Instant petition has been filed under Article 226 of the Constitution of India seeking issuance of a direction in the nature of Mandamus to the respondent No.2 to protect the life and liberty of the petitioners from the hands of respondents No.3 to 8.

Apparently, respondent No.2 is Director General of Police, Haryana, whereas apprehension has been expressed against the Superintendent of Police and entire staff without impleading them by name and in person, especially when the apprehension of threat to life and liberty has been raised against the said police officials including the officer of a high rank i.e. Superintendent of Police. It is further evident from the pleadings that the petitioner had been taken into custody in FIR No.78 dated 30.04.2022 under Section 302 read with Section 34 of the Indian Penal Code, 1860, registered at Police Station Bahu Akbarpur, Rohtak and the petitioners claim that they were released from the police custody. Eventually, the brother of petitioners is stated to be taken into custody and then released by the police.

Given the aforesaid circumstances and considering the fact that the police has already released the petitioners as well as their brother, there is no reason with the Court to assume that the petitioners are in any kind of tangible danger or threat to their life and liberty as of now.

In view of the above observations referred to above, I find no merit in the instant petition. Hence, the same is accordingly dismissed.

23.06.2022

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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No