

CRM-M-27613 of 2022 (O&M)

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

CRM-M No.27613 of 2022

Date of Decision: 29.06.2022

Kashmir Giri

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vaibhav Sehgal, Advocate for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ANOOP CHITKARA, J.

Learned counsel for the petitioner submits that he would be confining his prayer to the extent of protection of life and liberty of the petitioner at this stage, reserving his right to take other legal remedies for remaining prayers including filing of fresh writ petition.

2. Fearing for life and liberty at the hands of the private respondents, the petitioners, invoking the fundamental right of life guaranteed under Article 21 of the Constitution of India, have come up before this Court seeking protection through the State.

3. Notices served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required

4. If the allegations of apprehension of threat to life turn out to be true, it might lead to an irreversible loss. Thus, in the facts and circumstances peculiar to this case, it shall be appropriate that the concerned Superintendent of Police, SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to the petitioners for one week from today. However, if the petitioners no longer require the protection, then at their request, it may be discontinued even before the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of the petitioners.

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5. This protection is subject to the stringent condition that from the time such protection is given, the petitioners shall not go outside the boundaries of the place of residence, except for medical necessities, to buy household necessities, and forbereavements in the families of the close relatives or close friends. This restriction saves the petitioners from apprehended risk and ensures that the protection is not flaunted.

6. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the petitioners is required in any cognizable case. It shall also be open for the petitioners to approach this Court again in case of any fresh threat perception.

7. The petitioner shall be at liberty to file fresh representation before the concerend Supeintendent of Police. In case, such representatino is filed, the same be decided expeditiously and preferably within 30 working days by passing a speaking and reasoned order.

There would be no need for a certified copy of this order, and any Advocate for the Petitioners and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

29.06.2022
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.