

111

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

CRWP-7727-2022 (O&M)
Date of decision : 16.08.2022

Pohkar Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rohit Mittal, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

CRM-W-1039-2022

This is an application filed for grant of leave under Rule 3/A(1) of Chapter VI, Part B, Volume V of Punjab and Haryana High Court Rules and Orders to file the present petition.

In view of averments made in the application, the same is allowed and leave is granted under the aforesaid Rules and Orders to file the present petition.

Main case

This is a Criminal Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ in the nature of mandamus directing respondent Nos.1 to 3 to protect the life and liberty of

the petitioner and to provide security to the petitioner who is stated to be having imminent danger from the hands of respondent Nos.4 to 7.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 27.07.2022 (Annexure P-2) to respondent No.3-Superintendent of Police, Narnaul, in which, primary prayer made by the petitioner is for protection of his life and liberty and in the said representation, he has detailed the facts which have caused reasonable apprehension in his mind with regard to his life and liberty.

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 a direction to respondent No.3-Superintendent of Police, to look into the representation dated 27.07.2022 (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 3 only.

On advance notice, Mr. Praveen Bhadu, AAG, Haryana appears and accepts notice on behalf of respondent Nos.1 to 3 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 27.07.2022 (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 27.07.2022

(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 the aforesaid limited prayer.

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.

16.08.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No