

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

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CRM-M-47725-2021

Date of Decision: February 14, 2022

Kitab Singh Nimbran

.....Petitioner

Vs.

State of UT, Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Naveen Upadhyaya, Advocate for the petitioner.

Mr. Kuldeep Tiwari, Add.P.P., U.T., Chandigarh

(Through Video Conferencing)

ANOOP CHITKARA J. (ORAL)

Reply on behalf of respondents No.1 to 3 has been sent through Whatsapp group, is taken on record.

On being enquired whether this petition is not a bar for misjoinder of relief, learned counsel for the petitioner confined his prayer to the extent of issuance of direction to respondents No.1 and 2 to protect the life and liberty of the petitioner and his family from the hands of respondents No.3 to 5.

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 petitioner and his family for one week from today. However, if the petitioner no longer requires 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 petitioner.

This protection is subject to the stringent condition that from the time such protection is given, the petitioner and his family shall not go outside the boundaries of the place of residence, except for medical necessities, to buy household necessities, and for bereavements in the families of the close relatives

or close friends. This restriction saves the petitioner from apprehended risk and ensures that the protection is not flaunted.

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 petitioner is required in any cognizable case. It shall also be open for the petitioner to approach this Court again in case of any fresh threat perception.

There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other particulars as may be required 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 attesting bonds.

Petition is allowed to the extent mentioned above with liberty to file separate petition. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

February 14, 2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No