

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50953-2021
Date of decision: 21.04.2022

Buta Singh

...Petitioner(s)

Versus

The State of Punjab & others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Prince Sharma, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. R.S. Sidhu, Advocate for respondent no.5.

ANOOP CHITKARA, J.

The petitioner has approached this Court with two fold prayers i.e. (i) to arrest respondent no.5 (ii) to complete the investigation in a time bound manner and (iii) additionally, the petitioner seeks protection of his life and liberty.

2. As far as prayer no.(i) of the petitioner is concerned, the respondent no.5 has approached this Court for grant of anticipatory bail by filing a petition under Section 438 CrPC and has been granted the same in CRM-M-50548-2021. Thus, his prayer has been rendered infructuous. As regards prayer No.(ii) of the petitioner is concerned, learned State counsel has submitted that the investigation is going on and the same shall be completed very soon.

3. As far as prayer no.(iii) of the petitioner is concerned, this Court has perused this petition, which was filed way back in 24.11.2021, and as such it is directed that in case there is any threat perception to petitioner within 30 days from today, he shall approach the concerned Superintendent of Police/SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, who shall provide protection to the petitioner for seven days. However, if the petitioner no longer requires the protection, then at their request, it may be discontinued even before the expiry of one week. Thereafter, the concerned officer shall extend the protection on the basis of day-to-day analysis of the ground realities or upon the oral or written request of the petitioner.

4. This protection is subject to the stringent condition that from the time such protection is given, the petitioner 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.
5. 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.
6. Petition is partly allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

April 21, 2022
AK

Whether speaking/reasoned:	Yes
Whether reportable:	No.