

CRWP-2825-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

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Date of Decision:-05.10.2023

Ankit

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON’BLE MR. JUSTICE ALOK JAIN

Present: Mr. Gaurav Datta, Advocate for the petitioner.
Mr. Anmol Malik, DAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been filed *inter alia* praying for protecting the life and liberty of the petitioner, who is facing criminal trials in multiple FIRs and is in custody.
2. Learned counsel for the petitioner submits that there is serious threat perception to the petitioner, as his father has been eliminated by the opposite gang and he apprehends threat to his life also, as certain hard core criminals from the opposite gang are also lodged in the same jail. He further submits that, in fact, the petitioner was given additional security but

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the same had been withdrawn with effect from 02.03.2023. Furtherance to the withdrawal of the security, the petitioner moved a representation on 11.03.2023 (Annexure P-1) to the Authorities and subsequently approached this Court.

3. The reply was filed by the State Authorities by way of affidavit dated 16.05.2023 and subsequently, an additional affidavit was also filed on 16.08.2023.

4. Learned counsel for the petitioner submits that the State is taking a self contradictory stand, wherein, on one hand, they have submitted that there is no threat perception to the petitioner but on the other hand, relies upon the statement of the petitioner which clearly demonstrates that petitioner is at risk when he goes outside for Court production and the anti-group members can attack him. He further submits that the prior incident of serious nature to the extent of elimination of his father needs to be considered.

5. *Per contra*, learned State counsel has vehemently opposed the petition and has submitted that the present petition is only a pressure tactic and the petitioner is the gang leader of his own gang namely “**Ankit Gang**” and has rivalry with “**Kaushal Gang** and **Tek Chand Gang**” and certain members of the said gang are also confined in the same jail in which the petitioner is lodged. The authorities are aware of the said fact and therefore, the petitioner is confined in separate high security ward and full proof security is already provided to him in the jail through QRT Team of the jail.

6. It is further submitted by learned State counsel that in the most of the Court hearings, the petitioner is produced through video

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conferencing, however, as and when the petitioner is to be produced before the Court, the authorities raises a specific demand for Special Police Escort Guard from the Superintendent of Police, Palwal and Line Officer Police Line, Palwal and also informs the STF Gurugram.

7. It is further submitted by learned State counsel that as per the allegations, that there is threat to the petitioner inside the jail also, so the matter was duly enquired into by the Deputy Superintendent of Police, Head Quarter, Palwal and it has been submitted that the accused is a professional criminal on whom various cases of serious crimes have been registered in Haryana and Rajasthan and it was found that the accused has made false allegations to seek his own security and there is no truth in the said allegations.

8. Heard learned counsel for the parties at length.

9. The ends of justice would be met by disposing of this petition. The respondent-Authorities shall abide by the rule of law and since, they have already been taking appropriate steps for the security of the petitioner while he is being produced in the Court, the same shall be re-assessed by the competent authority as and when the petitioner is to be produced physically to attend the Court proceedings.

10. Needless to say that the State is duty bound to protect all its citizens including the petitioner and as per the Status Report filed, this Court does not find that the same is not being done. Hence, no further orders are required to be passed.

11. In light of the above, the present petition stands disposed of without expressing any opinion on the merits of this case.

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12. However, it is made clear that filing or pendency of this petition or any order/direction passed in this petition shall not be an *alibi* or defence to the petitioner, in case, he is found involved in any illegal activity and the respondent-Authorities shall take appropriate action, in accordance with law.

(ALOK JAIN)
JUDGE

October 05, 2023
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No