

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.6895-2022
Date of Decision: 12.07.2023

Arvind Kumar Sharma ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aditya Pal Singh, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

ANOOP CHITKARA, J.

The petitioner who claims to be a BJP senior leader and National President of Hindu Shakti Sangathan, has come up before this Court seeking protection of life and liberty from Khalistan Liberation Force who threatened him by sending a letter dated 06.02.2022 (Annexure P-2).

2. The concerned Assistant Commissioner of Police had filed a detailed reply. In the reply, it is mentioned that an inquiry was conducted and during such inquiry, the petitioner did not produce any concrete evidence regarding such threats. It is specifically mentioned that the petitioner wanted to get security for the sake of his reputation in the society. Even the petitioner's representation was decided in aforesaid terms on 16.08.2022. The dispute is regarding possession of flat, however the petitioner is not seeking protection on that count, as such that prayer is not being considered in this case.

3. In para 7 of the reply, it has been specifically mentioned that the petitioner has been provided the phone numbers of the concerned police officials and he has hired private security to manage access to his residence and only those individuals who have been authenticated by the security personnel, are permitted to enter. In nutshell, stand of the State is that the petitioner is seeking security only to flaunt his profile.

4. Although the petitioner has annexed a threat letter but the petitioner cannot claim any indefinite protection solely on that and he himself has to take appropriate steps to secure his life. Furthermore, the State did not find sufficient corroboration behind the said letter and under its garb, the petitioner cannot seek endless protection.

5. In the entirety of facts and circumstances, it is clarified that in case the petitioner feels any genuine threat perception he may approach the concerned Superintendent of Police who shall provide security to him on day to day basis. It is further clarified that such security shall be subject to the condition that the petitioner, during such threat perception, shall fully cooperate and not attend any public functions, weddings, parties and will not unnecessarily roam in the area putting his life at risk. **It is also clarified that the order regarding not visiting the aforesaid places, is not complied with, security shall be withdrawn immediately, if it is provided.** It is clarified that this order shall remain in force only for 30 days and in case, threat perception still persists it shall be open for the petitioner to approach the concerned Superintendent of Police by filing the representation and in case, he still aggrieved then he is at liberty to approach this Court again.

6. *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 disposed of in the aforesaid terms. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

12.07.2023
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Whether speaking/reasoned:	Yes
Whether reportable:	No.