

2023:PHHC:101679

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

205-1

CRWP-7944-2022 (O&M)

Date of Decision: 07.08.2023

Sandeep @ Kala

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Sunil Sihag, Advocate for the petitioner.

Mr. Manish Bansal, Sr. D.A.G, Haryana.

ANOOP CHITKARA, J. (ORAL)

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to ensure the safety and security while producing the petitioner before Courts or joining him any other proceedings.

2. Counsel for the petitioner submits that the petitioner is facing trial for different offences. There is threat to the life of petitioner at the hands of hardcore criminals, as well as notorious elements to his life and even from the some police officials as well. He further prayed for his production before the trial Court through video conferencing if his physical presence is not necessary. Counsel for the petitioner on instructions submits that the petitioner would not claim any prejudice in case he is produced through video conferencing.

3. State counsel also does not explicitly opposes this kind of submission and submits that there is no averments qua the detail/name of authority from whom he is apprehending threat in the petition.

4. Given the apprehension of threat to life and specific prayer with concession made by the petitioner (accused) that he shall not claim any prejudice in any Court at any

stage if he is produced through video conferencing, the prayer is allowed. Wherever possible the petitioner shall be produced before the Court through video conferencing. However, it is clarified that when for the purpose of identification, if he is required or the concerned Judge feels that his personal appearance is required, in that eventuality, he be produced physically. State shall ensure that no harm is caused to petitioner’s life.

5. The present petition is partly allowed to the extent mentioned above. All pending miscellaneous applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

07.08.2023
Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No