

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-48181-2023

Date of decision: 22.09.2023

GEETH SAPTHARANGA ABEGODA LIYANAGE

...Petitioner.

Versus

STATE OF PUNJAB AND OTHERS

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Rajiv Joshi, Advocate for the petitioner.

SANJIV BERRY, J.(ORAL)

The present petition under Section 482 Cr.P.C. has been preferred by the petitioner for direction to the official respondents to protect the life and liberty of the petitioner at the hands of respondent No.6.

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is a citizen of Sri Lanka and a student of Lovely Professional University, Phagwara, who apprehending threats, at the instance of respondent No. 6, had moved the representation (Annexure P-1) to respondent No.3- Senior Superintendent of Police, Kapurthala, on 09.09.2023, but till date no action thereon has been taken.

3. Learned counsel for the petitioner also refers to the judgment of Hon'ble Apex Court in 2013(3) RCR (Criminal) 795 titled '*Issac Isanga Musumba and others Versus State of Maharashtra*', to submit

that the State is under obligation to protect the life and liberty of any foreigner who comes to this country and to ensure that their life and liberty is not deprived except in accordance with the procedure established by law. He further submits for the purpose of this petition, the petitioner will be satisfied if representation dated 09.09.2023 (Annexure P-1) is considered and disposed of in accordance with law in an expeditious manner.

- 4. Notice of motion to official respondents.
- 5. On the asking of the Court, Ms. Swati Batra, DAG, Punjab, who is present in Court, accepts notice on behalf of the official respondents-State.
- 6. After hearing the respective submissions and considering the averments made in the petition, the petition is thereby disposed of with direction to respondent No.3- Senior Superintendent of Police, Kapurthala, to consider and dispose of the representation dated 09.09.2023 (Anenxure P-1) in accordance with law in an expeditious manner after giving opportunity of being heard to the petitioner. Respondent No.3- Senior Superintendent of Police, Kapurthala, is further directed to intimate the petitioner about the result of representation.
- 7. Disposed of.

(SANJIV BERRY)
JUDGE

22.09.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |