

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

102+224

CM-9274-CWP-2023 in/and
CWP-27213-2018 (O&M)

Date of decision: 24.05.2023

VIRESH SHANDILYA

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Dr. Anmol Rattan Sidhu, Advocate for
Mr. Gursher Singh Dhillon, Advocate
for the petitioner.

Mr. Pawan Girdhar, Addl. A.G. Haryana
for the respondent-State.

Mr. Satya Pal Jain, Addl. Solicitor General of India with
Mr. Ashish Rawal, Advocate
for respondents No.5 to 6-Union of India.

VINOD S. BHARDWAJ, J. (Oral)
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The instant application has been filed under Section 151 of the Code of Civil Procedure, 1908 for placing on record the additional affidavit of the petitioner dated 18.05.2023 and FIR No. 205 dated 02.05.2023 under Section 506 of the IPC, lodged at Police Station Baldev Nagar, District Ambala as Annexure P-20 and P-21.

Application is allowed as prayed for and additional affidavit of the petitioner dated 18.05.2023 and FIR No. 205 dated 02.05.2023 under Section 506 of the IPC, lodged at Police Station Baldev Nagar, District Ambala are taken on record as Annexure P-20 and P-21.

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The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to take appropriate measures to provide security to the petitioner.

Pursuant to the proceedings that took place during the pendency of the writ petition, an affidavit of Alok Mittal, IPS, Additional Director General of Police, CID, Haryana dated 19.05.2023 has been filed in the Court. A copy thereof has been handed over to the counsel appearing on behalf of the petitioner.

Learned Senior Counsel refers to the averment contained in Para No. 15 of the above said affidavit and contends that in view of the aforesaid averment, he does not press the instant petition at this stage and satisfied by the measures taken by the respondents for ensuring the protection of security of the petitioner. The aforesaid para is extracted herein after below:

“15. That the report received from Superintendent of Police, Security-1, CID, Haryana reveals that three PSOS namely EHC Krishan Kumar, 644/AMB, CT Rajpal, 1136/AMB and CT Nitin Kumar, 1677/ AMB were deployed in the security of the petitioner vide order No. 97921-48 dated 20.12.2022, No. 20751-80 dated 24.03.2023 and No. 95330-57 dated 10.12.2022 respectively by the office of Superintendent of Police/Ambala. Now, EHC Ashwani Kumar, No. 1017/AMB has been deputed vide office order no. 32086-32115 dated 10.05.2023 by the office of SP, Ambala, in place of EHC Krishan Kumar, No. 644/AMB (now HC

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Krishan Kumar, No.92/S.HC). The Superintendent of Police, Ambala vide order bearing No. 22081- 91/Secret dated 24.03.2023 has issued direction to SHO, PS Baldev Nagar and In-charge Police Post Model Town as well as SHO, PS Ambala City and In-charge Police Post No. 04 for deploying PCR 02 & Rider No. 06 for patrolling at the house of petitioner and PCR 04 & Rider 05 for patrolling at his office.

It is further submitted that both the PCRs i.e. PCR 02 (No. HR 37C 4224)and PCR 04 (No. HR 68A 1664), which are deployed for patrolling at the house and office of petitioner are GPRS enabled and their movement can be tracked by the GPRS Monitoring Cell, in the office of Superintendent of Police, Ambala. As per the report, both the PCRs are regularly patrolling the house and office of petitioner from 25.03.2023. It is made clear that one EHC Krishan Kumar, No. 644/AMB(now No. 92/S.HC) whose name is mentioned in the affidavit of SP/Ambala is now replaced by one EHC Ashwani Kumar No.1017/AMB.”

In view of the para extracted above, the present petition is disposed of as not pressed at this stage. The respondents shall ensure compliance of the aforesaid averments.

All interim orders, if any, would stands modified in terms of the present order.

All the pending miscellaneous application(s), if any, are also disposed of.

(VINOD S. BHARDWAJ)
JUDGE

MAY 24, 2023
Vishal sharma

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