

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-4707-2024

Date of decision: 04.03.2024

JYOTI AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present: - Dr. Anmol Rattan Sidhu, Advocate with
Mr. Pratham Sethi, Advocate,
Mr. Jagjit Singh, Advocate and
Mr. Kanish, Advocate
for the petitioner.

Mr. Vivek Saini, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present writ petition has been filed for directing the respondents to provide adequate security to the petitioners who are apprehending imminent threat to their life and liberty.

A status report by way of an affidavit of Vikrant Bhushan, IPS, Superintendent of Police, District Sirsa has been filed in the Court today which is taken on record. The relevant extract thereof reads thus:

“3. That a letter bearing no. 235-41/BTAR-R dated 23.02.2024 from ADGP Office, Bhatinda Range, Punjab was received in the office of the deponent and on receiving the aforesaid letter, the deponent had constituted a Special Enquiry Team (SET) headed by DSP HQ, Sirsa vide order dated 24.02.2024, with immediate effect. Copy of letter bearing no. 235-41/BTAR-R dated 23.02.2024 from ADGP Office, Bhatinda Range, Punjab and Copy of order dated 24.02.2024 passed by the deponent are enclosed as Annexure R-1 and Annexure R-2 respectively.

4. That the Special Enquiry Team (SET) constituted by the deponent has recorded the statement of the petitioner no. 1, wherein she has narrated two incidents regarding apprehension of threat to her life. In the first incident, she has alleged that on 17.07.2022 she was threatened by alleged accused Gurmeet Ram Rahim at Baghpat, U.P. and in the second incident she has alleged that she and her daughter are being followed by one Kuldeep, who is one of the member of the 15 member committee of Dera Saccha Sauda Management Committee. By narrating these 2 incidents she has levelled the allegations of threat to her and her family from the Dera Management Committee. The statements of relatives of the petitioner (father-in-law namely Sadhu Ram S/o Kehar Singh) and Jagbir Singh S/o Gurmel Singh (brother-in-law), Sudesh W/o Jagbir (Sister-in-law) were also recorded by the Special Enquiry Team (SET).

5. That with regard to the allegations of threat to the petitioner from the members of Dera Saccha Sauda Management Committee, Sirsa, the Enquiry team had summoned the members of Dera Management Committee namely Gurleen @ Rakesh, Charanjit @ Charan Singh,

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Abhijeet @ Bablu, Rakesh and one Kuldeep Singh. They were joined into the enquiry and their statements were recorded. However, the summons could not be served to the other alleged accused namely Rakesh Dirba, alleged accused Honeypreet and Gurmeet Ram Rahim have not been summoned by the Enquiry team yet and the enquiry is still continuing.

6. That as per the statement of the petitioner, she has alleged that on 17.07.2022 she was threatened by alleged accused Gurmeet Ram Rahim at Baghpat, U.P., therefore, during the enquiry, the parole record of Gurmeet Ram Rahim for the period 17.06.2022 to 18.07.2022, was obtained from Central Jail, Sunaria, Rohtak. The CDR (Call detail record) of petitioner was also obtained and after perusal of the aforesaid record, it is seen that the petitioner and the alleged accused Gurmeet Ram Rahim were found to be on the same location i.e. at Satnamji Ashram, Dera Saccha Sauda, Bernava, Distt. Baghpat, U.P. on 17.07.2022. Since the allegations of threat to the petitioner being made in the jurisdiction at Distt. Baghpat, U.P and also as the matter pertains to the year 2022, hence a letter no. 6578 dated 02.03.2024 was sent to the Superintendent of Police, Baghpat, U.P along with the copy of statement of the petitioner recorded during the inquiry and letter of ADGP, Bhatinda, Range Bhatinda for enquiring into the alleged threat incident of 17.07.2022.

7. That keeping in view the threat perception to the petitioner and the pending enquiry, a gunman was provided to the petitioner by the deponent on 29.2.2024 and 2 additional gunmen were provided to the petitioner on 01.03.2024 and a letter was written to Deputy Commissioner, Sirsa for constituting a District Level

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committee regarding threat perception to the family of petitioner in accordance with Notification no. 1/6/2010-1HG IV dated 19.09.2012 of the State Govt. (Home Department). However, in the meanwhile, the petitioners have moved out of jurisdiction of District Sirsa to District Kurukshetra on 02.03.2024.

8. That the petitioner on 02.03.2024 has got her statement recorded to the DSP HQ, Sirsa In-charge SET that she is fully satisfied with security provided by the deponent and thereafter the petitioner left Sirsa for Village Bijalpur, PS Ismailabad, Distt. Kurukshetra along with 3 Gunmen.

9. That since the petitioners have moved within the jurisdiction of Distt. Kurukshetra, hence the deponent has also intimated to SP, Kurukshetra vide Letter no. 4513/SB dated 02.03.2024 for providing adequate security to the petitioners.

10. That the deponent has also intimated the CP Gurugram through letter no. 4513/SB dated 02.03.2024 for providing adequate security to the petitioners as they have mentioned in their petition and also the statement of petitioner no. 1, that she would be moving to Gurugram on 01.02.2024.

11. That in order to inquire into the matter regarding the threat to the petitioner and her family, the deponent also wrote a letter to ADGP, Bhatinda and SSP Faridkot for proving disclosure statement and other documents of husband of the petitioner namely Pardeep Kumar who was arrested in Case FIR no. 63/2015 U/S 380,414,451,201,120B of IPC, PS Bajakhana, Distt. Faridkot but the documents have not been provided so far.

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12. That during the enquiry, it was revealed that the petitioner despite narrating two incidents of threat to her life, did not move any written complaint in this regard after 17.07.2022 within the jurisdiction of Distt. Sirsa and kept residing at the premises of Dera Saccha Sauda at Sirsa and has levelled allegations of threat for the first time, only after the arrest of her husband on 09.02.2024 in FIR No. 63/2015 U/S 380, 414, 451, 201, 120B of IPC, PS Bajakhana, Distt. Faridkot.

Learned Senior counsel appearing on behalf of the petitioner contends that as per para No.7 of the aforesaid written statement filed by the respondent it sufficiently caters to her apprehension and the present writ petition may be disposed of in terms thereof.

Since the petitioner is fully satisfied with the arrangements made and with the specific stands of the respondents in reassessing the security requirements of the petitioner as stated in Para No. 8, 9, 10, the present writ petition is disposed of as no further directions are required to be issued at this stage.

(VINOD S. BHARDWAJ)
JUDGE

MARCH 04, 2024
Vishal Sharma

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