

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

112

CWP-5313-2024

Date of decision: 20.03.2024

PARDEEP KALER @ PARDEEP KUMAR KALER

.....Petitioner

VERSUS

UNION TERRITORY OF CHANDIGARH AND OTHERS

.....Respondents

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

Present:- Mr. Pratham Sethi, Advocate and
Mr. Kanishk Sarups, Advocate and
Mr. Tarnjot Singh Sidana, Advocate
for the petitioner.

Mr. Manish Bansal, Advocate
for the respondent-U.T. Chandigarh.

VINOD S. BHARDWAJ, J. (Oral)

The present writ petition has been filed for seeking directions to provide adequate security to the petitioner as there is imminent threat to their life and liberty and a further prayer is to direct the official respondents to decide the representation dated 23.02.2024 (Annexure P-2).

In compliance with the order dated 06.03.2024, a status report dated 11.03.2024, has been filed by learned State Counsel. The relevant extract is as under:-

3. It is stated that the Petitioner is an accused in FIR bearing No. 63 dated 02.06.2015, u/s 295-A & 380 of

Indian Penal Code, 1860, registered at Police Station Bajakhana, District Faridkot and is presently lodged in Model Jail, Burail, Chandigarh.

4. It is stated that the present Petition is not maintainable as the Petitioner who was set to get his statement recorded under Section 164 CrPC before the Ld. Chief Judicial Magistrate, Chandigarh, had moved an Application to the Ld. CJM, Chandigarh on 24.02.2024 (Annexure P-6), seeking provision of adequate security to him. Vide its order dated 26.02.2024, the Ld. Chief Judicial Magistrate, Chandigarh, forwarded the said Application, to the Jail Superintendent with a direction to take action as per law.

5. In compliance of and acting on the orders of the Ld. Chief Judicial Magistrate, Chandigarh, an order dated 29.02.2024 was passed by the Additional Superintendent, Model Jail, Chandigarh detailing the steps to be undertaken to enhance the security of the Petitioner. A copy of the order dated 29.02.2024 is attached herewith as Annexure R-1. A perusal of the said order would indicate that adequate steps have been taken by the Jail authorities to ensure the safety of the Petitioner. Apart from this, it is stated that Model Jai, Burail, Chandigarh is a high security Jail with ample security forces guarding the Jail. The Jail remains 24x7 under CCTV surveillance and there are no chances of any breach. The Petitioner is under continuous surveillance. He has been kept inside the enclosure of 20 Cells ward. One extra Warder has been ordered to be posted outside the enclosure of 20 Cells Ward, apart from other steps which have been taken to enhance his security.

6. It is stated that in so far as the representation of the Petitioner (Annexure P-2), which is similar in nature to the Application filed before the Ld. CJM, Chandigarh,

is concerned, no further orders are required to be passed in view of the order dated 29.02.2024 (Annexure R-1) passed by the Additional Superintendent, Model Jail, Chandigarh and what has been stated hereinabove.”

The issue in question has already been decided by this Court vide judgment passed in **CWP-4707-2024** titled as **“Jyoti and another versus State of Haryana and others”**.

The present writ petition is thus disposed of in terms of judgment dated 04.03.2024 passed in **CWP-4707-2024** titled as **“Jyoti and another versus State of Haryana and others”** (supra).

(VINOD S. BHARDWAJ)
JUDGE

MARCH 20, 2024
Vishal sharma

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