

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

2024:PHHC:143938-DB



CRWP No. 8626 of 2023 (O&M)  
Date of Decision: 05.11.2024

Ejaz Hussain

.....Petitioner

versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE  
HON'BLE MR. JUSTICE ANIL KSHETARPAL, JUDGE**

Present : Mr. Naveen Sharma, Advocate, for the petitioner.

Mr. Deepak Sabharwal, Addl. Advocate General, Haryana.

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**SHEEL NAGU, CHIEF JUSTICE (Oral)**

1. This petition has been filed by the petitioner by invoking writ jurisdiction of this Court praying for the following reliefs:-

- “a) To issue order or directions to the respondents No.1 to 5, to ensure the freedom and to protect the life and personal liberty of the petitioner and his family members from the illegal activities of the respondents No.6 and 7 by threatening to danger the life of petitioner and his family members i.e. his wife and three children as enshrined under Articles 19 and 21 of the Constitution of India.*
- b) To order, further prayed from this Hon'ble Court to direct the official respondents No.1 to 5 to take appropriate safety measures for protecting religious monument i.e. “Dargah Peer Baba Sayad Shahpur” situated in the village of the petitioner Sayad Shahpur, Tehsil Pataudi, District Gurugram, Haryana.”*

2. Grievance of the petitioner is that a part of Dargah is standing on the land owned by the petitioner. Though the petitioner has

not filed any relevant revenue record or title deeds but the same may not be necessary since this Court is not going to decide the title of the land in question. The grievance thus is that safety, security, life and dignity of the petitioner has not been ensured by the official respondents. It is also informed by learned counsel for the petitioner that in regard to the said incident, an FIR No. 428 dated 03.08.2023 under Sections 147, 149, 153-A and 427 of the Indian Penal Code has been registered at Police Station Pataudi, District Gurugram.

3. In view of the above, it would not be appropriate to keep this petition pending any further and therefore, the same is disposed of with liberty to the petitioner to apply before the concerned Superintendent of Police/District Magistrate of the area concerned for protection which prayer shall be considered and appropriate orders be passed in accordance with law. If the protection is due to the petitioner, the same be provided to him in accordance with law. In case, the authorities are of the view that no protection is due, then a speaking order be passed and communicated to the petitioner within a period of 20 days from the date of receipt of a copy of this order.

4. Pending applications, if any, also stand disposed of.

(SHEEL NAGU)  
CHIEF JUSTICE

(ANIL KSHETARPAL)  
JUDGE

05.11.2024  
ravinder

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|---------------------------|---------|
| Whether speaking/reasoned | √Yes/No |
| Whether reportable        | Yes/No√ |