

2024:PHHC:127912



CRWP No.9424 of 2024

137 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No.9424 of 2024
Date of Decision: 26.09.2024

Harmanpreet Kaur	Versus	...Petitioner
State of U.T. Chandigarh and Others		...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kartik Patial, Advocate for the petitioner.
Mr. Vipin Pal Yadav, Addl. P.P., U.T, Chandigarh.

ANOOP CHITKARA, J.

Apprehending threat to their life and liberty at the hands of the private respondents and seeking directions to respondent No.4, the petitioner has come up before this Court under Article 226 of the Constitution of India in the nature of *mandamus*.

2. Notices are served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.

3. If the allegations of apprehension of threat to life turn out to be true, it might lead to an irreversible loss. Thus, in the facts and circumstances peculiar to this case, the SSP/SHO concerned or the concerned officer to whom such powers have been delegated or have been authorized in this regard, shall provide appropriate protection to the petitioner after analysis of the ground realities or upon the oral or written request of the petitioner in accordance with law for a period of 07 days from today. However, if the petitioner no longer requires the protection, then at his request, it may be discontinued even before the expiry of said period.

4. The protection is subject to the stringent condition that from the time such protection is given, the petitioner shall refrain from attending parties, bars, picnics or any area that may pose a risk to his life. The SHO should send police officer(s) to petitioner's home to assess the required level of security. Once the assessment is done, the officer should provide adequate security without the petitioners having to contact him.

5. It is clarified that if the petitioner visits any disputed place and the security officer becomes aware of it, they should advise the petitioner to avoid going there. If the

2024:PHHC:127912



CRWP No.9424 of 2024

petitioner still insist on going, the officer has the right to return to the police station due to petitioner’s defiance of the order.

6. Further, let representation dated 13.09.2024 (Annexure P-6) be decided by the concerned Director General of Police, within two months, either himself/herself or by authorizing and delegating it to any officer holding IPS cadre. It is clarified that such order must be a reasoned order, and the same be communicated to the representationist without delay.

7. Liberty reserved to the petitioner to file fresh petition or to take other legal remedies in accordance with the law.

8. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the petitioner is required in any cognizable case. It shall also be open for the petitioner to approach this Court again in case of any fresh threat perception.

9. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

26.09.2024

Sonia Puri
Whether speaking/reasoned: Yes
Whether reportable: No.