CRWP-9511-2024

2024:PHHC:130880

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-9511-2024
Date of decision: October 01, 2024

Ganga Devi ....Petitioner

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. S.K Chaudhary, Advocate for the petitioner.
Ms. Swati Batra, DAG, Punjab

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ANOOP CHITKARA, J.

1. Apprehending threat to life and liberty at the hands of the private respondents, the petitioner, invoking the fundamental right of life guaranteed under Article 21 of the Constitution of India, has come up before this Court seeking protection through the State.

2. Notice served upon the official respondent through the State 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, it shall be appropriate that the concerned Superintendent of Police, SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to the petitioner for one week from today. However, if the petitioner no longer requires the protection, then at her request, it may be discontinued even before the expiry of one week.

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After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of the petitioner.

4. The protection is subject to the stringent condition that from the time such protection is given, the petitioner shall not go out of her house unnecessarily and shall certainly refrain from attending parties, bars, picnics or any area that may pose a risk to her 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 petitioner having to contact them.

5. 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.

6. This order shall eclipse after fifteen days from today.

7. 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

October 01, 2024
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Whether speaking/reasoned Yes/No
Whether reportable: Yes/No

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