

CRWP No.11594 of 2023

2024:PHHC:015524

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRWP No.11594 of 2023

Date of Decision: 05.02.2024

PARVEEN

.....Petitioner

Vs

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Mohit Rathee, Advocate for the petitioner.

Mr. Gurmeet Singh, Asstt. A.G., Haryana.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Article 226 of the Constitution of India for the issuance of a writ in the nature of mandamus for directing the official respondents to protect life and liberty of the petitioner at the hands of respondent No.5.

2. In the present case, on account of alleged murder of real brother of petitioner, FIR No.250 dated 30.06.2021 under Sections 302, 212, 120-B and 34 IPC & Section 25 of Arms Act, Police Station Barauda, District Sonipat was registered against respondent No.5 and few other, wherein respondent No.5 was granted bail by this Court vide order dated 05.09.2022 passed in CRM-M No.31747 of 2022.

3. As per version of the prosecution, the petitioner happens to be the eye-witness to the incident relating to the aforesaid FIR No.250 dated 30.06.2021, who even appeared as PW-2 in support. It is the case of the petitioner that he is being extended continuous threats at the hands of respondent No.5, who even on 17.10.2023 tried to eliminate the petitioner and the said incident was even recorded in the CCTV cameras installed at Mill in the village. Even FIR No.0390 dated

19.10.2023 under Sections 506 & 34 IPC, P.S. Barauda, Sonipat was got recorded against respondent No.5 and one another person.

4. In view of aforesaid facts and circumstances of the case, learned counsel for the petitioner submits that petitioner requires adequate security so as to keep himself safe from respondent No.5.

5. On the other hand, learned State counsel as per reply filed on behalf of respondent Nos.1 to 4, submits that whenever the petitioner is being approached, for one or other reason, he tries to make excuses.

6. I have heard learned counsel for the parties and gone through the paper book.

5. In view of the aforesaid, but without going into the merits of the controversy, the present petition is disposed of with a request to Superintendent of Police, Sonipat, Haryana/respondent No.3 to decide representation dated 29.10.2023 (Annexure P-6) and to examine the case of the petitioner as regards the threats extended to him; to protect his life and liberty from respondent No.5 and to take necessary steps in this regard. In case, if presence of the petitioner is required, he shall be put to notice in this regard.

6. It would be appreciated in case the aforesaid exercise is carried out within a period of four (04) weeks from the date of receipt of certified copy of this order.

February 05, 2024
Atik

(HARKESH MANUJA)
JUDGE

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