



CRWP No.11411 of 2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No.11411 of 2024
Date of Decision: 29.11.2024

Kulwant Singh

Versus

State of Punjab and Others

...Petitioner

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aman Mittal, Advocate for the petitioner.

Mr. Akshay Kumar, AAG, Punjab with
ASI-Satnam Singh.

ANOOP CHITKARA, J.

Apprehending threat to life and liberty at the hands of the private respondents, the petitioner(s), invoking the fundamental right of life guaranteed under Article 226/ 227 of the Constitution of India for issuance of writ in the nature of *mandamus*, have come up before this Court seeking protection through the State.

2. 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(s) after analysis of the ground realities or upon the oral or written request of the petitioner(s) in accordance with law for a period of 07 days from today. However, if the petitioner(s) 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(s) 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)'s home to assess the required level of security. Once the assessment is done, the officer should provide adequate security without the petitioner(s) having to contact him.

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5. It is clarified that if the petitioner(s) visits any disputed place and the security officer becomes aware of it, they should advise the petitioner(s) to avoid going there. If the petitioner(s) still insist on going, the officer has the right to return to the police station due to petitioner(s)'s defiance of the order.
6. 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(s) is required in any cognizable case. It shall also be open for the petitioner(s) to approach this Court again in case of any fresh threat perception.
7. **This order shall eclipse after fifteen days from today.**
8. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner(s) 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

29.11.2024
Sonia Puri

Whether speaking/reasoned: Yes
Whether reportable: No.