



112                    IN THE HIGH COURT OF PUNJAB AND HARYANA  
                                 AT CHANDIGARH

CRWP-419-2025  
DECIDED ON: 16.01.2025

KULDEEP SHARMA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.**

Present:        Mr. Sumeet Puri, Advocate  
                     for the petitioner.(Through Hybrid Mode)

**SANDEEP MOUDGIL, J (ORAL)**

1.                The jurisdiction of this Court under Article 226 of the Constitution of India for issuance of a writ in the nature of *Mandamus* directing the official respondents no. 1 to 3 to protect the lives and liberty of the petitioner at hands of respondents No.4 to 5.

2.                Factual matrix of the case unfolds that the present petitioner has filed one online complaint on the Govt Portal against private accused persons stating that these accused persons are habitual of filing frivolous complaints and thereafter commits extortion. Even specific affidavits have been tendered by private accused persons that they will not indulge in moving false complaints in the near future before the concerned police authorities.

3.                Counsel for the petitioner contends that the petitioner, being victim of the false complaints of the private accused persons filed an online complaint against them on the web portal on the basis of which an FIR was registered and since then he has been facing consistent threats from the private accused persons along with some unknown persons who are trying to harass and

humiliate him and his family members to withdraw his complaint. He further



contends that on date 10.12.2024, the private accused persons started raising lalkara in the front of the house of the petitioner and forcefully dragged him out and started beating with the sticks. Thereafter on 11.12.2024, a representation was given to Respondent no.2 but to no action was taken against the accused persons.(Annexure P-1).

4. Heard counsel for the petitioner.

5. In view of this court, as a matter of principle, private individuals should not be given security at State cost unless there are compelling transparent reasons, which warrant such protection, especially if the threat is linked to some public or national service they have rendered and, the security should be granted to such persons until the threat abates. But, if the threat perception is not real, it would not be proper for the Government to grant security at the cost of taxpayers money and to create a privileged class. In a democratic country governed by rule of law and written Constitution providing security at State expense ought not to become an act of patronage to create a coterie of 'obliged' and 'loyal' persons. The limited public resources must be used carefully for welfare schemes and not in creating a privileged class.

6. In the instant petition, the petitioner is seeking protection from the actions of the accused persons who have caused humiliation and mental harassment to him and his family members, pursuant to which he also gave a representation to the the Respondent no.2 dated 11.12.2024 but no heed was paid to it.

7. Prima facie, the instant petition seems to be a futile exercise wherein no real threat or even an iota of threat perception exists. The petition has no reference of the FIR details registered on the basis of complainant of the



whereas the date of incident is 10.12.2024 meaning thereby, if the threat would have been so grave, the petitioner would not have gone out for so many days to knock the doors of the court.

8. The gravity of threat has to be real and not just based upon perceptive apprehension. Limited public resources cannot be deployed for display of eminence and as an attempt to bolster the ego of the recipient of such protection.

9. Consequently, this Court does not find any case in favour of the petitioner which may convince this Court to accept his prayer made in the instant petition for providing him police protection and resultantly, the present petition alongwith all the proceedings arising therefrom fails and the same is, thus, hereby ordered to be dismissed with Rs.25,000 costs to be deposited in Chandi Kusht Ashram Society, (account No.1445265900) (IFSC Code KKBK0004211), Kotak Mahindra Bank, Sector 46-C Chandigarh. The receipt of which shall be submitted to the Registrar (Judicial) within 15 days and compliance of same be intimated to this Court.

16.01.2025  
Anuradha

(SANDEEP MOUDGIL)  
JUDGE

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