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

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CRWP-732-2024 (O&M)
Date of decision: 19.02.2025

Istak Khan**...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Lupil Gupta, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. This petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to ensure protection of life and liberty of the petitioner and his family members at the hands of accused persons named in FIR No.270 dated 03.10.2023 under Section 25 of Arms Act and under Sections 147, 149, 323, 364-A, 386, 387, 427, 506 IPC at Police Station Bhondsi, District Gurugram.

2. On 16.09.2024, the following order was passed by this Court:

“...Notice of motion.

It is submitted by learned counsel for the petitioner that he has to appear as a witness in the aforementioned FIR on 09.10.2024 before the learned trial Court, Gurugram. However, due to the threats being extended by the accused, he has not been able to appear for that purpose. It is submitted that some protection may be

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granted to the petitioner for the purpose for ensuring his presence before the learned trial Court on 09.10.2024 and recording his statement as a witness. The request as made by the petitioner is genuine. Keeping in view this fact, direction is hereby given to respondent no.3 i.e. Commissioner of Police, Gurugram to ensure that as on 09.10.2024, the petitioner is produced before the learned trial Court at Gurugram in safe custody and the life and liberty of the petitioner is ensured at that time. Respondent no.3 shall ensure making all the arrangements for that purpose as well as for taking him back in safe custody to his house on that day. Respondent no.3 be informed through learned State counsel.

Adjourned to 15.10.2024.

The respondents shall file reply/status report on the date fixed.”

3. Thereafter, vide orders dated 15.10.2024 and 22.10.2024, it was submitted by learned State counsel that the petitioner was provided sufficient security by deputing two security personnel in order to enable him to appear before the Court on 09.10.2024. Learned State counsel, in terms of the status report, which is available on record, has submitted that the security provided to the petitioner is still there and the same will continue as per directions of this Court.

4. Learned counsel for the petitioner has not disputed the aforesaid facts. However, it is informed that the petitioner/complainant has not yet been examined.

5. In view of the above, the present petition is disposed of with a direction that the security provided to the petitioner shall continue till his

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complete examination before the learned trial Court. The petitioner will be at liberty to approach this Court seeking protection to his life and liberty, if he feels any threat to his life and liberty even in future.

19.02.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No