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

**CRWP-2529-2025 (O&M)
Date of decision: 28.03.2025**

Virender Pratap Singh

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. S.S. Jattan, Advocate
for the petitioner.

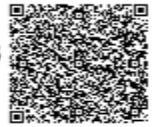
Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Articles 226/227 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for issuance of direction to the respondents to provide protection to the petitioner, as he apprehends a fake encounter during police remand.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner is under trial in the case stemming from FIR No.442 dated 10.08.2017 under Sections 307, 147, 148, 452, 506 of the Indian Penal Code, 1860 and Section 25 of Arms Act, 1959 registered at Police Station City

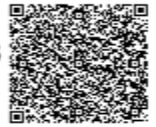
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Yamuna Nagar and has been placed in high security ward of the jail. Previously also, he had raised concerns regarding the denial of basic human rights and the inhumane treatment meted to him in jail. The police has falsely implicated the petitioner in multiple cases, registered with different police stations, with an ulterior motive. The petitioner is also being subjected to extreme torture while in custody. As such, life of the petitioner is under a credible and serious threat from the police causing him to apprehend the inevitable occurrence of a fake encounter by adopting extra-judicial tactics.

3. Furthermore, it is the responsibility of the State to ensure the safety of the petitioner while he is in custody. Therefore, it is prayed that the jail authorities may be directed to ensure that he is not taken out of jail for police remand without prior permission of the Court concerned and CCTV cameras be installed in the jail premises. It is further prayed to conduct an independent and immediate inquiry into the threats faced by the petitioner. Reliance in this regard is placed on the judgment rendered by the Hon'ble Supreme Court in ***Sunil Batra Vs. Delhi Administration, (1980) 3 SCC 488***

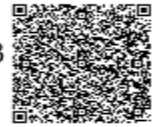
4. *Per contra*, learned State counsel has produced the reply by way of affidavit of Kanwaljeet Singh, HPS, Deputy Superintendent of Police, Yamuna Nagar, on behalf of the respondents-State, in the Court today, which is taken on record and copy thereof has been supplied to learned counsel for the petitioner. She submits that the petitioner is the kingpin of a dreaded gang and is involved in 44 cases registered in different districts of the State.



Nothing specific has been brought to the fore, which would indicate that there is a credible danger to life of the petitioner and the threat perception projected by the petitioner is merely fanciful. In fact, the present petition has been filed with an oblique motive to put pressure on the jurisdictional police authorities and avoid custodial interrogation. Moreover, the jurisdictional police authorities can only take custody of a prisoner confined in judicial custody, after obtaining a remand order from the concerned Court. Finally, in cases where his presence is required, the petitioner is being produced through video conferencing before the Court concerned. As such, the apprehension raised by the petitioner is absolutely baseless.

5. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

6. Gangster culture has emerged as a significant threat to the social order in today's time, fostering an environment of fear and lawlessness. The glorification of violence, the normalization of criminal behavior and the recruitment of vulnerable youth into gangs not only perpetuate crime, but erode public trust in the justice system. Moreover, the way, these hardened criminals are portrayed by popular media, has led to a distorted sense of power and impunity, particularly among the youth. The implications of unchecked gang activities are far-reaching, from rising violent crime rates to economic instability in affected communities and regions. This menace must be dealt with decisively and swiftly. A firm hand, with stringent law



enforcement and legal measures, is essential to dismantling extortion rackets, deterring future criminal enterprises and safeguarding the moral fabric of society. The judiciary must ensure that those who engage in such nefarious activities face the full brunt of the law, sending a strong message that such criminality will not be tolerated. This will be a step towards restoring public confidence and protecting the foundations of a law-abiding society.

7. Adverting to the present case, the petitioner has claimed that there exists a threat to his life while he remains in custody, however, he has not been able to indicate the source of such information or supply any material, which would bestow legitimacy on the same. As such, this Court finds the present petition to be totally misconceived and this attempt to evade the course of legal procedure by the petitioner cannot be appreciated.

8. Accordingly, the present petition is dismissed with costs of Rs.20,000/- to be deposited with Poor Patient Welfare Fund, PGIMER, Chandigarh.

9. All the pending miscellaneous application(s), if any, shall stand disposed of.

[HARPREET SINGH BRAR]
JUDGE

28.03.2025
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No