



CRWP-5398-2025

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

CRWP-5398-2025**Date of decision: 23.05.2025****KIRORI MAL AND ORS.****...PETITIONERS****VERSUS****STATE OF HARYANA AND ORS.****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Saurabh Dalal, Advocate for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

ANOOP CHITKARA, J. (ORAL)

Fearing threat to life and liberty at the hands of the private respondents, the petitioners, invoking the fundamental right of life guaranteed under Article 226/227 of the Constitution of India, has come up before this Court seeking protection through the State.

2. Notices served upon the official respondents through the State's counsel. 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. State counsel submits that complaint filed by the petitioners is under investigation and they required petitioners assistance to conduct fair inquiry on the same.

4. Counsel for the petitioners submits that they undertake to join investigation on 26.05.2025 in the concerned Police Station and after that as and when called upon to do so. He submits that there is threat to their life and prayed for protection of life and liberty of the petitioners at this stage, reserving their rights to take other legal remedies for remaining prayers, including filing of fresh petition, if need arises.

5. 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, it shall be appropriate that the concerned Superintendent of Police, SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to the petitioners for one week from today. However, if the petitioners no longer require the protection, then at their request, it may be discontinued even before the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of the petitioners.

6. The protection is subject to the stringent condition that from the me such



protection is given, the petitioners shall refrain from attending paves, bars, picnics or any area that may pose a risk to his life. The SHO should send police officer(s) to petitioners' home to assess the required level of security. Once the assessment is done, the officer should provide adequate security without the petitioners having to contact him.

7. It is clarified that in case, State wants to extend the security, the same shall not be done by banking upon and harking upon the order passed by this Court. It shall be done on their own individual assessment of threat perception. If the petitioners visit any disputed place and the security officer become aware of it, they should advise the petitioners to avoid going there. If the petitioners still insist on going, the officer has the right to return to the police station due to petitioners' defiance of the order.

8. 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 petitioners are required in any cognizable case. It shall also be open for the petitioners to approach this Court again in case of any fresh threat perception.

9. **This order shall eclipse after fifteen days from today.**

10. Prayer for issuance of directions to decide the representation dated 12.04.2024 (Annexure P-1), is withdrawn. Liberty reserve to petitioner to file fresh representation within one week, in case fresh representation is filed on or before 31.05.2025 the same be decided by the concerned Superintendent of Police, within two months, either himself/herself or by authorizing and delegating it to any officer holding HPS cadre. It is clarified that such order must be a reasoned order and the same be communicated to the representationists without delay.

10. There would be no need for a certified copy of this order, and any Advocate for the Petitioners 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.

11. Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

23.05.2025
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(ANOOP CHITKARA)
JUDGE

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