



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CRWP-6114-2026 (O&M)
Date of decision: 02.07.2026

SANDEEP KUMAR ALIAS SANJU

PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

RESPONDENTS

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Naveen Bawa, Advocate for
Mr. Vishnu Dutt, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Shalini Singh Nagpal, J. (ORAL)

1. The petition under Article 226/227 of the Constitution of India seeks direction to respondents No.2 and 3 to provide adequate security to the petitioner, who apprehends danger to his life and liberty.

2. Learned counsel for the petitioner submits that on 08.12.2016, when petitioner was travelling with his brother in a car, they were attacked and petitioner's brother along with two others was murdered. Petitioner survived the attack by hiding in the back seat of the car. FIR No.1323 dated 08.12.2016 under Sections 148, 149, 302, 307, 341, 506, 120-B IPC and Section 25 of the Arms Act, 1959 was registered immediately. Thereafter, the police provided Two Personal Security Officers to the petitioner and stationed eight police officials at his house. In the year, 2020, main accused-Vijay Farmana, who was a gangster was arrested and his trial was still ongoing. Though, eight accused were convicted by learned Additional Sessions Judge, Karnal on 06.07.2022 and sentenced to life imprisonment, trial against Vijay Farmana was still on going. Petitioner's security was, however, reduced

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in the year 2024 and in January, 2026, the single Personal Security Officer was withdrawn by the police. Petitioner was still receiving life threats at the hands of gang members of Vijay Farmana, who was facing trial. He made a representation dated 19.03.2026 (Annexure P-2) to respondent No.3, requesting security but no action was taken thereon.

3. Notice of motion.

4. Learned State counsel, on instructions from ASI Balwan Singh submits that no representation was received from the petitioner by the official respondents and the representation (Annexure P-2) would be considered and decided.

5. Hon'ble Supreme Court in Kaushal Kishor Vs. State of Uttar Pradesh 2023(4) SCC 1 has observed as under:

“The duty cast upon the State under Article 21 is a negative duty not to deprive a person of his life and personal liberty except in accordance with law.

The State however has an affirmative duty to carry out obligations cast upon it under constitutional and statutory law. Such obligations may require interference by the State where acts of a private party may threaten the life or liberty of another individual. Hence, failure to carry out the duties enjoined upon the State under constitutional and statutory law to protect the rights of a citizen, could have the effect of depriving a citizen of his right to life and personal liberty. When a citizen is so deprived of his right to life and personal liberty, the State would have breached the negative duty cast upon it under Article 21.”

5. Keeping in view the limited prayer made by petitioner, the present petition is disposed of with a direction to respondent No. 2-Senior Superintendent of Police, Karnal to assess the threat perception and decide the aforesaid representation dated 19.03.2026 (Annexure P-2) submitted by petitioner within a period of one month from today by passing a reasoned and



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speaking order, in accordance with law and take appropriate action, if so required.

6. However, if, respondent No.2 does not find any substance in the allegations levelled in the representation, the petitioner shall be informed as per mandate of law.

7. Petition stands disposed of.

8. Pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

02.07.2026
HS.CHAUHAN

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No