
(2023) 07 P&H CK 0038

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 6022 Of 2022

Mahender Singh

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 14-07-2023

Acts Referred:

Citation : (2023) 07 P&H CK 0038

Hon'ble Judges : Anoop Chitkara, J

Bench : Single Bench

Advocate : Manoj Tanwar, Manish Bansal

Final Decision : Allowed

Judgement

Anoop Chitkara, J

1. Fearing for life and liberty at the hands of the private respondents, the peoner, invoking the fundamental right of life guaranteed under Article 21 of the Constitution of India, has come up before this Court seeking protection through the State.

2. Counsel for the petitioner prays for grant of protection of life and liberty of the petitioner at this stage, reserving his right to take other legal remedies for remaining prayers including filing of fresh petition/representation.

3. 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 petitioner for one week from today. However, if the petitioner no longer requires the protection, then at their request, it may be discontinued even before the expiry of one week. Further 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 petitioner.

4. This protection is subject to the stringent condition that from the time such

protection is given, the petition shall not go outside the boundaries of the place of residence, except for medical necessities, to buy household necessities, and for bereavements in the families of the close relatives or close friends. This restriction saves the petition from apprehended risk and ensures that the protection is not flaunted.

5. 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 petition is required in any cognizable case. It shall also be open for the petition to approach this Court again in case of any fresh threat perception.

6. This order shall eclipse after fifteen days from today .

7. Liberty reserved to the petition to file a fresh representation to the concerned Superintendent of Police/ Commissioner of Police, within fifteen days from today. If the petition files a representation within the above-mentioned period of fifteen days, then, the same shall be decided by the concerned Superintendent of Police/ Commissioner of Police, within two months.

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

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