

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

**Writ Petition (Criminal) No. 382 of 2012**

Manoj Sharma ..... Petitioner

**Versus**

State of Uttarakhand and others ..... Respondents

Present: Mr. Ramji Srivastava, Advocate for the petitioner.

Mr. Amit Bhatt, Deputy Advocate General assisted by Mr. S.A. Siddiqui, A.G.A. for the State/ respondents.

**Coram :** **Hon'ble Barin Ghosh, Chief Justice**  
**Hon'ble U.C. Dhyani, Judge**

**Date : 29<sup>th</sup> June , 2012**

**Barin Ghosh, C.J. (Oral)**

The Senior Superintendent of Police, Dehradun has filed her report, as was directed. In the report, it has been stated, which is not in dispute, that while the petitioner is a business person, he is also Secretary of the State Bahujan Samaj Party. She has stated that the petitioner was fired upon on 29<sup>th</sup> February, 2012 and sustained gun shot injuries. In respect of the said incident, a case has been filed. Two of the accused persons were arrested, one of them is still in Jail and the other is enlarged on bail. The third accused person is absconding. At the same time, it has been stated that the petitioner has a criminal background, inasmuch as, five criminal cases are pending against him, which were instituted in the years 2000, 2005, 2011 and 2012. In those circumstances, we are unable to direct the State Government to provide any security to the petitioner. The writ petition fails and the same is dismissed.

( U.C. Dhyani, J.)

29.06.2012

( Barin Ghosh, C.J.)

P. Singh