

**IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL**

**Writ Petition (Criminal) No. 723 of 2012**

Sarvottam Kumar ..... Petitioner

Versus

State of Uttarakhand and others ..... Respondents

Present: Mr. Lok Pal Singh, Advocate for the petitioner.  
Mr. Vinay Kumar Standing Counsel for the State of  
Uttarakhand/respondent Nos. 1 and 2.  
Ms. Monika Pant, Advocate holding brief of Mr. Arvind  
Vashisth, Advocate for respondent Nos. 3 and 4.  
Mr. Siddhartha Sah, Advocate for respondent No.5.

**Coram: Hon'ble Barin Ghosh, C.J.  
Hon'ble U.C. Dhyani, J.**

**BARIN GHOSH, C.J. (Oral)**

We have not been able to satisfy ourselves that the petitioner has, at all, been able to make out a case for issuance of a writ in the nature of quo warranto. That prayer is, accordingly, rejected. It is being contended that respondent Nos. 4 and 5, in concert with each other, are abusing their position resulting in affecting the security of the petitioner. The threat perception of the petitioner be determined by the S.S.P. Hardwar in consultation with the S.S.P. Dehradun. Let respondent Nos. 1, 2 and 3 provide adequate security to the petitioner, when the petitioner will be appearing in the court of C.J.M. and J.M. Dehradun in Case Crime Nos. 68 of 2011 and 90 of 2011.

2. The writ petition is disposed of with the direction as above. In the event it transpires that the petitioner has a reasonable threat perception, the State Government will take appropriate action to provide adequate security to him.

**(U.C. Dhyani, J.)  
31.12.2012**

**(Barin Ghosh, C.J.)  
31.12.2012**