

CWP No.1693 of 2015

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

**CWP No.1693 of 2015
Date of decision:12.01.2016**

Ajmer Singh Romana

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Kamaldip Singh Sidhu, Advocate,
for the petitioner.

Mr. Suresh Singla, Addl. A.G., Punjab.

Rakesh Kumar Jain, J.

The petitioner has prayed for the issuance of a writ in the nature of *mandamus* directing the respondents to provide him security.

It is alleged that the petitioner had joined the Punjab Police on 28.04.1976 as Assistant Sub Inspector and retired from the post of Superintendent of Police on 31.08.2009. During this period, when he was posted as Assistant Sub Inspector at Police Station Sadar Nabha, District Patiala, he was attacked by the Babla Gang, a terrorist outfit, at village Chhintawala, in which one Constable Basant Singh was killed and the petitioner suffered injuries. In that regard, a case FIR No.52 dated 07.03.1984, under Sections 307/302 IPC and Section 25/27/54/59 of the Arms Act was registered against Babla Gang. The petitioner had also

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inquired into the history case of Daheru Tragedy when he was posted as Station House Officer of Police Station Khanna. According to the petitioner, he has been provided a Personal Security Officer even after his retirement, which has been withdrawn. Since the representation made by the petitioner for providing a Personal Security Officer has not been decided by the respondents, therefore, the present petition has been filed.

It is argued by learned counsel for the petitioner that the petitioner has a threat to his life and liberty for the reason that he had faced an attack by the Babla Gang in 1984 in which he had suffered injuries and had also conducted an inquiry in the Daheru Tragedy, earning the ire of criminals. It is also submitted that the petitioner has to appear in the Court cases for which he has received summons and in the absence of a Personal Security Officer, there would be a threat to his life and liberty.

On the other hand, counsel for the respondents has submitted that in the case of **Abhay Singh vs. State of U.P. & others**, SLP(C) No.25237 of 2010, the security policy of the State of Punjab was notified by the Punjab Govt. on 02.09.2013, in which no provision was made for grant of security cover to the retired police officers except in the case of threat perception. As per the policy, the security provided to any individual is also made subject to regular periodic reviews according to which the security cover may be reduced, retained, increased or removed, depending upon the threat perception. It is further averred that the threat perception to the petitioner has been evaluated by the Additional Director General of Police, Security on the basis of an elaborate threat assessment exercise, which

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involves a careful consideration and an objective analysis of the latest threat inputs obtained from the State Intelligence/field units and the local police. It is submitted that as per the report of the SSP, SAS Nagar Mohali, there is no threat perception existing in respect of the petitioner and the expenditure on the personal security cover of an individual cannot be borne by the State in the absence of the threat perception.

I have heard learned counsel for the parties and examined the record from which it is found that the case against Babla Gang was got registered by the petitioner in the year 1984 and more than 30 years have passed since then without any threat to the petitioner by the said gang. Similarly, Daheru Tragedy is of the period when the petitioner was posted as Station House Officer of Police Station Khanna, whereas, thereafter the petitioner was posted as SHO, Police Station Tapa, District Barnala, SHO, Police Station Dhuri, District Sangrur, SHO, Police Station Walianwali, District Bathinda, Deputy Superintendent of Police and Superintendent of Police at Ropar, Police District Majitha, District Bathinda and Police District Khanna etc.

Nothing has been brought on record to prove that the petitioner has received any kind of threat to his life and liberty by the terrorist, as alleged by him, and hence, there is no reason for this Court to interfere in the order of the respondents by which the security cover given to the petitioner even after his retirement has been withdrawn because as per the policy of the State, it can be given only when the threat perception to the individual security is assessed and found sufficient to provide security cover

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to him.

In view of the aforesaid discussion, I do not find any merit in
the present petition and hence, the same is hereby dismissed.

January 12, 2016
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(Rakesh Kumar Jain)
Judge