

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

CWP No.9907 of 2017

Date of decision: September 15, 2017

Harinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. Rajesh Bhateja, Advocate for the petitioner.

Mr. Vikas Mohan Gupta, Addl. Advocate General, Punjab.

**Rajan Gupta, J.(oral)**

Petitioner has sought a direction to the respondents to provide police security to him. An affidavit of Raj Jit Singh, Senior Superintendent of Police, District Moga has been filed. Learned State counsel has referred to paras 5, 6 & 7 thereof. Same read as under:-

“5. That the case of the petitioner has also been evaluated on the above said guidelines after calling a report from SHO, Police Station Badhni Kalan, which is the jurisdictional Police Station of the petitioner. The SHO in his report has taken into account various past and present events concerning the life of the petitioner and his status in life and has thereafter given a negative report for not granting security to the petitioner as there is no threat perception to the life of petitioner as on date. The SHO has mentioned that the petitioner and his wife are political workers belonging to Akali Dal and their security was taken back on the recommendations of the Election Commission during the elections as already stated hereinabove. The SHO has further mentioned that an FIR No.56 dated 18.04.1988 under section 302, 307, 382, 148, 149 IPC and Section 25, 27 of the Arms Act and Section 4, 5, 6 of TDAP was registered at Police Station Badhni Kalan with regard to the alleged murder of the father

of the petitioner. It has been found that the FIR pertains to the era of terrorism in Punjab and with the return of normalcy long back, there are no valid grounds to believe that the same threat perception exists as on today especially when reportedly no threat call/letter has been received by the petitioner anytime thereafter and nothing has been reported in this regard even by the petitioner also. Moreover, there is another FIR No.51 dated 27.06.2013 under Sections 307, 341, 148, 149 IPC and Section 25, 27, 29 of the Arms Act registered at Police Station Badhni Kalan pertaining to an incident, wherein during the Panchayati Elections a fight had ensued between the groups of the petitioner and his wife namely Narinder Kaur, who was contesting the Panchayati Elections and an opposite candidate namely Ajit Pal Singh. The SHO has further informed that the members of both the groups had received injuries during the fight.

6. That the SHO has mentioned that it was only on account of these two FIRs that the petitioner claims threat to his life and that apart there is no other reason for the petitioner to claim a threat to his life. It has been further remarked by the SHO that neither the petitioner has received any threat call/letter from the agency/organization nor has he reported about any such incident to the police. Ultimately it has been concluded on the basis of above factual matrix that a demand of the petitioner for security is only on account of personal reason because he is a political person and wants to show off his influence in this manner. Moreover, it has been further found that the petitioner possesses three licensed weapons which are enough to defend him and his family in case there is any threat perception as claimed.

7. That the report by the concerned SHO was also approved by SSP Moga and based on the same it has been found that there is no actual threat perception to the life of the petitioner and his family at present and accordingly his representation has been consigned to the record room.”

In view of the statement made by learned counsel for the petitioner, this petition is dismissed as withdrawn.

September 15, 2017  
'Rajpal'

Yes / No

Yes / No