

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19882-2018 (O&M)

Date of decision: 27.08.2018

Vardev Singh Maan

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vikram Manak, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for issuance of directions to respondents No.2 to 4 to provide adequate security to the petitioner and his family members.

Learned counsel for the petitioner submits that the petitioner belongs to a political family and being in opposition, he is facing threats at the instance of his opponents. It is further submitted that the petitioner has moved a representation dated 13.12.2017 (Annexure P-2) to the Director General of Police, Punjab at Chandigarh seeking protection to his life and liberty.

Short reply by way of affidavit of AIG, Security, Punjab, Chandigarh has been filed and in the reply, it is stated that the Punjab Govt. on 02.09.2013, in pursuance to directions issued by the Hon'ble Supreme Court in SLP No.25237 of 2010 titled as Abhay Singh Vs. State of UP and others has framed a policy. The operative part of the said policy reads as

under: -

“Police officers are recruited, trained and maintained at a huge cost borne by the taxpayer, and are, therefore, meant to be deployed for the protection of the community. Providing police officers to individuals for their protection at the cost of the taxpayer is not the function of the State or the government....

Thus personal protection at State expense was always meant to be an exception, and not the rule. Personal security is only meant to be given to individuals who are facing a grave to their life from terrorist and militant outfits, or organized criminal syndicates and gangs, as laid down in the Yellow Book issued by the Ministry of Home Affairs, Government of India, in December 2003....”

Learned State counsel, on instructions from ASI Rameshwar Jha, has submitted that as per the guidelines laid down in the State Security Policy, the reports from the DGP, Intelligence, Punjab as well as SSP, Fazilka were obtained regarding threat perception to the petitioner and as per these reports, there are no specific threat inputs, indicating any threat to the security of the petitioner and therefore, it is not possible to provide security cover at State expenses.

After hearing learned counsel for the parties, this petition is disposed of, however, it is directed that SSP, Fazilka shall ensure that life and liberty of the petitioner is protected, if so required.

[ARVIND SINGH SANGWAN]
JUDGE

27.08.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No