

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

CWP-PIL No. 2 of 2020 (O&M)

Date of Decision: 06.01.2020

Mohammad Arshad

.....Petitioner

versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Mohammad Arshad, petitioner in person.

RAVI SHANKER JHA, CHIEF JUSTICE (oral)

This petition has been filed by the petitioner purporting to be in public interest assailing the order dated 25.12.2019 passed by the Additional District Magistrate, Nuh under section 144 of the Code of Criminal Procedure. The petitioner submits that the impugned order violates the fundamental rights of the petitioner under Article 19 of the Constitution of India as the petitioner is not able to agitate against the Citizenship Amendment Bill (CAB). Thus, is submitted that the impugned order is not in public interest as it affects the rights of the public at large to agitate.

2. We have heard the petitioner at length.

3. From a perusal of the impugned order, it is apparent that the authorities after assessing the ground situation and recording a finding that there is likelihood of causing tension, annoyance, obstruction or injury to person(s) and risk/danger to human life and property as well as disturbance of public peace and tranquility, has passed the impugned order prohibiting unlawful activities like blocking of roads, passages, railway tracks, water channel, power houses as well as any type of processions and agitations etc. by the agitators by way of assembly of 5 or more persons carrying weapons

like fire arms, Sword, Lathi, Barcha, Kulhari, Jellies, Gandasses, Knives and other weapons of offence likely to cause obstruction in the maintenance of peace and tranquility in the limits of District Nuh for a period of two months or till the time the situation becomes normal whichever is earlier.

4. Apparently, the District Authorities, that are best placed and equipped to evaluate the ground situation have passed the impugned order. Even otherwise, from a bare perusal of the impugned order, it appears that the same has been passed in public interest and with a view to prevent disturbance of public peace and tranquility as also any danger to human lives and properties. Accordingly, we do not find any reason to interfere therewith. Nothing has been placed on record either to indicate that the authorities have taken any steps against the petitioner or any other person which have violated the petitioner's fundamental rights.

In the circumstances, we do not find any merit in the petition and accordingly the same stands dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

06.01.2020

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Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√