

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

COCN No.1081 of 2020

Date of Decision: 12.6.2020

Bir Devinder Singh

.....Petitioner

Versus

Satish Chandra and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Rajvinder Singh Bains, Advocate, for the petitioner.

Mr. G.C. Dhuriwala, Assistant Advocate General, Punjab.

NIRMALJIT KAUR, J. (Oral)

The present contempt petition has been filed for non-compliance of the order dated 26.7.2013, vide which, the prayer of the petitioner seeking security was rendered infructuous in view of the admitted position that he had since been provided adequate security.

It is contended that in spite of the threat perception still existing, the security has been withdrawn only because of his certain statements made by him criticizing the policy and decision of the State Government. Some of the statements have been placed on record as well.

It is further stated that the security granted by the State on the basis of threat perception based on objective material cannot be withdrawn at the whims and fancies of the political executives and bureaucrats. It is further contended that the said threat perception still exists and is part and parcel of the security file of the petitioner, which is in the custody of the respondents.

If it is so, then without going into the merits of the present contempt petition as to whether the same is maintainable or not, learned counsel for the parties are agreed that the present contempt petition can be disposed of with a direction to the respondents to consider the present contempt petition as a representation and decide the same and take a fresh decision with respect to the restoration of the security so withdrawn within 10 days from today.

Disposed of accordingly.

The final decision with respect to the restoration of the security may be taken in accordance with law after examining the security file of the petitioner.

Needful be done within 10 days.

This Court has no doubt that the said decision shall be taken fairly and without any bias. The decision be conveyed to the petitioner immediately thereafter.

(NIRMALJIT KAUR)
JUDGE

12.6.2020
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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No