

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

Criminal Writ Petition No.2233 of 2019 (O&M)
Date of Decision: February 24, 2020

Dr.(Bhai) Paramjit Singh

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Karanjeet Singh Brar, Advocate,
for the petitioner.

Mr.Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed the above criminal writ petition under Article 226 Constitution of India for issuance of a writ in the nature of mandamus to the respondents for providing protection to him, who is allegedly facing threat to life.

The petitioner claims that he is associated with the Bhartiya Janta Party for a long time as incharge of Publication and Literature Cell, Punjab, and is also editor of Kamal Suncha.

Learned counsel for the petitioner has contended that the petitioner had submitted a representation dated 10.07.2018 (Annexure P-1) to respondent No.2, wherein it was mentioned that only one personal security officer has been deployed for his protection, who also proceeded on leave without any replacement. It was requested that the adequate measures

be taken for the safety and security of the petitioner. According to him, no action/decision has been taken by the official respondents on the representation. Few references have been made in the petition that previously also, security was provided to the petitioner by deploying Constables and Home Guards. It is prayed that direction be issued to the respondents for providing the security cover to the petitioner.

On 16.10.2019, learned State counsel was directed to complete instructions as regards review exercise, if any, undertaken with regard to the alleged threat perceived by the petitioner. In response thereto, reply dated 06.11.2019 by way of affidavit of Yogesh Kumar, PPS, Deputy Superintendent of Police, City-I, Patiala on behalf of respondent Nos.1 to 5 was filed. According to the reply, petitioner had earlier filed Civil Writ Petition No.21566 of 2018 and sought direction to consider his representation dated 10.07.2018 and the said petition was disposed off vide order dated 15.11.2018 by directing the competent authority to take a decision on the representation. Further, reliance has been placed upon the norms and guidelines laid down on 02.09.2013, by State Security Policy for providing security to individual protectees, in compliance of the directions issued by the Hon'ble Supreme Court in SLP No.25237 of 2010 in case titled as "Abhay Singh Versus State of UP and others". The important features of the policy have been highlighted in the reply. Finally, it is pleaded that the alleged threat faced by the petitioner was assessed and it was found that the petitioner does not require any security.

During the course of hearing, learned counsel for the petitioner has invited the attention of the Court to the letter (Annexure P-12) to contend that vide order dated 11.02.2019, the personal security cover

provided to the petitioner was withdrawn. It is not disputed by the learned counsel that the said order was never put under challenge by him, much less in the present petition where only prayer made is for providing the security to the petitioner.

After hearing the learned counsel for the parties, this Court is of the opinion that merely because previously the petitioner was provided security cover does not mean that the same is required to be continued in perpetuity. It is the clear stand of the State that the threat perception is assessed at times and when it was found that petitioner does not require any security, the same was withdrawn. Learned counsel is unable to express the mode and manner of the alleged threat received by the petitioner.

In view of the above, this Court does not find any reason to exercise the extraordinary writ jurisdiction, particularly when the petitioner has not challenged the order (Annexure P-12). Resultantly, the petition fails and is dismissed.

February 24, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No