

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

CWP No. 2258 of 2021

Date of decision : 17.2.2021

Gurcharan Singh and others

.... Petitioners

versus

The State of Punjab and others

... Respondents

**Coram: Hon'ble Mr. Justice Jaswant Singh
Hon'ble Mr. Justice Sant Parkash**

Present Mr. M. L. Saggar, Senior Advocate assisted by
Mr. G. P. Vashist and Mr. Sunny Saggar, Advocates,
for the petitioners.

Mr. Suveer Sheokand, Additional Advocate General, Punjab.

[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.]

Jaswant Singh, J. (Oral)

Petitioners - Lakhvir Singh and Jasbir Singh and wife of
Petitioner Gurcharan Singh claiming themselves to be contestants for
election to the office of Members of Municipal Council, Patti, District Tarn
Taran, have filed the present petition with a direction to the official
respondents / State machinery to conduct free and fair general elections to
be held on 14.2.2021.

The basis for seeking such directions was based on previous
incidents as also the apprehension of violence by the supporters of the
Ruling Party.

Upon notice, short reply by way of affidavit of Kuljinder Singh, Deputy Superintendent of Police, Sub-Division Patti, District Tarn Taran, has been filed *inter alia* detailing the steps taken for the deployment of adequate security and other steps for the conduct of free and fair elections.

At the time of resumed hearing, although it is orally submitted that in certain polling booths violence did erupt, however, in the light of disputed questions of facts and the alternative remedy of filing an election petition under Section 74 read with Section 89 of the Punjab State Election Commission Act, 1994, learned counsel for the petitioners prays for permission to withdraw the present writ petition with liberty to file election petition to agitate all the pleas raised in the present writ petition, in accordance with law.

Dismissed as withdrawn with the aforesaid liberty.

(Jaswant Singh)
Judge

17.2.2021
vs

(Sant Parkash)
Judge

Whether speaking/ reasoned	Yes/No
Whether Reportable	Yes/No