

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

CWP No. 3041 of 2021

Date of decision : 12.2.2021

Anju Bala

.... Petitioner

versus

State of Punjab and others

... Respondents

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

Present Mr. Puneet Kansal, Advocate, for the petitioner.

 Mr. Suveer Shoekand, 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)

The petitioner is one of the Contestants for the election as a Member of the Municipal Corporation, Moga, from Ward No. 13. The petitioner is contesting election on the Akali Dal Party's ticket.

It is averred that respondent no.6 -Smt. Vandana Dhamija, who is a contestant from the same ward on the Congress Party ticket, is the wife of Jatinder Kumar Dhamija alais Neela, who is a person of criminal nature and known gangster of the area.

The prayer of the petitioner is two fold:

- i) For issuance of Mandamus directing the Election Commission Authorities to install CCTV Camera in the Polling Booths for Ward No. 13, as the petitioner apprehends booth capturing.
- ii) For issuance of direction to respondent no. 4 – Senior Superintendent of Police, Moga, to provide security/ protection to the petitioner so as to ensure protection of his life and liberty.

Learned State counsel submits that vis-a-vis the first prayer, in view of the directions given in Para 6, Clause (v) of judgment dated 24.5.2012 delivered by a Division Bench of this Court in CWP No. 9601 of 2012 – Krishan Kumar Sharma and others vs State of Punjab and others, the State Election Commission, Punjab, has issued directions on 29.1.2021, directing the Returning Officers to permit the videography by the candidates at their own expenses outside the polling booths of their respective wards. He further states that in the present case the same order has been passed, in case if not passed, would be passed today itself.

In view of the aforesaid stand of the State through the learned State counsel, nothing survives vis-a-vis the first prayer is concerned.

With regard to the second prayer, we are not inclined to pass any specific order as the State Police is even otherwise under Constitutional obligation to protect the life and liberty of all the citizens and get the elections conducted in a free and fair manner.

The writ petition is disposed of in above terms.

The State shall be bound by its aforesaid stand.

(Jaswant Singh)
Judge

12.2.2021
vs

(Sant Parkash)
Judge

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