

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101

CWP-15738-2019

Date of Decision:01.09.2022

Harjeet Singh Sandhu

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Paras Sharma, Advocate for
Mr. Satyaveer Singh, Advocate,
for the petitioner.

Mr. Saurav Verma, Addl. A.G., Punjab.

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant civil writ petition filed under Articles 226/227 of the Constitution of India is for issuance of an appropriate writ in the nature of mandamus directing the respondents to restrain unauthorized use of loudspeakers and sound enhancing/producing instruments without authority and requisite permission and beyond ambient level of noise.

Pursuant to the order dated 24.02.2020 passed by this Court, status report by way of affidavit of Major Singh, PPS, Assistant Commissioner of Police-V, Jalandhar dated 08.09.2020 had been filed. The relevant extract of the said affidavit reads as under:-

“3. That said complaint was entrusted to then ACP Cantonment Jalandhar for enquiry and answering respondent further entrusted the enquiry to SHO P.S. Sadar and during

enquiry of the complaint, it was further enquired through ASI Harpal Singh and during enquiry it transpired, that private respondents have agreed to control the volume of loudspeakers as per the guidelines issued by this Hon'ble Court and petitioner has also suffered statement to that his applications/complaints be consigned to record room.

4. That thereafter ASI Harpal Singh submitted his report dated 30.03.2019 to SHO P.S. Sadar and SHO P.S. Sadar approved the same and forwarded his report dated 17.04.2019 to then ACP Cantonment and thereafter then ACP Cantonment approved the same and forwarded his report dated 18.04.2019 to Commissioner of Police Jalandhar and after taking legal opinion from DA Legal on 05.06.2019 said complaint was recommended to be filed by Commissioner of Police Jalandhar on 18.06.2019.

5. That during enquiry ASI Harpal Singh recorded the statement of presidents of various Gurudwaras mentioned by petitioner and they have stated that they will not play speakers at high volume in Gurudwara. Copy of statements of presidents are attached herewith as Annexure R-1/T to Annexure R-5/T.”

In view of the aforesaid facts and the specific statements given by the Granthis-Heads of the Gurudwaras that they will not operate the loudspeakers on high volume, learned counsel appearing on behalf of the petitioner does not press the present civil writ petition at this stage.

Dismissed as withdrawn.

September 01, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No