

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

**243**

**CWP-18949-2022**

**Date of decision: 14.10.2022**

**SARABJIT SINGH MAKKAR AND ANOTHER**

.....petitioners

**VERSUS**

**STATE OF PUNJAB AND OTHERS**

.....Respondents

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

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Present:- Mr. Mandeep Singh Sachdev, Advocate  
for the petitioners.

Mr. Gaurav Garg Dhuriwala, Addl. A.G. Punjab  
for the respondents No.1 to 4.

Ms. Saigeeta Srivastava, Advocate  
for respondents No.5-Union of India.

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**VINOD S. BHARDWAJ, J. (Oral)**

The instant petition has been filed invoking writ jurisdiction of this Court under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the official respondents to provide security cover to the petitioners which has been withdrawn.

Learned counsel for the petitioners contends that the petitioners is a member of a Political party namely Bhartiya Janta Party (BJP). The petitioners and their family members were on the hit list of Babbar Khalsa Terrorist Group and one of their brothers namely Surinder Singh Makkar was shot dead by terrorist for which FIR No.21 dated 22.01.1987 was registered at P.S. Division No.6 Jalandhar under Section 302/34 of the IPC read with Section 3 & 4 of the TADA Act

and Section 25 of the Arms Act and trial qua the said case is still pending before TADA Court at Jalandhar. The terrorist in the above said case initially ran away and had been declared as Proclaimed offender and thereafter has been extending constant threats to both the petitioners. The petitioner No.1 i.e. Sarabjit Singh Makkar is Ex.MLA from Adampur Constituency, District Jalandhar and he was initially allying with SAD (Badal). He also contested election from Jalandhar Cantt. constituency in Assembly election 2022 and at present is Incharge of constituency of Jalandhar Cantt on behalf of BJP and petitioner No.2 is also a social worker and is having various businesses. He further places reliance on the judgment passed by a Coordinate Bench of this Court in the matter of **Om Parkash Soni Vs. State of Punjab and others**, bearing CWP No.11872 of 2022, decided on 22.08.2022. It is further submitted by learned counsel appearing on behalf of the petitioners that the petitioners would be satisfied in case a direction is issued to the respondents to look into the representation dated 29.05.2022 and legal notice dated 15.06.2022 which have been appended along with the present petition as Annexures P-2 and P-3 respectively and take a decision on the same after taking into consideration all the relevant aspects.

Sh. Gaurav Garg Dhuriwala, Addl. AG Punjab, appears on behalf of the State of Punjab.

Learned State counsel has no objection if the prayer of the petitioners is accepted.

Accordingly, the present petition is disposed of with the consent of the parties and with a direction to the respondent authorities

to decide the representation/legal notice annexed as Annexures P-2 & P-3 sent by the petitioners and to pass an appropriate order thereupon, within a period of 4 months from the date of receipt of a certified copy of this order, as per security policy adopted by the State of Punjab, after affording opportunity of hearing to the respective parties.

The present petition is disposed of in aforesaid terms.

(VINOD S. BHARDWAJ)  
JUDGE

OCTOBER 14, 2022

*Vishal sharma*

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |