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

CRWP-635-2023 (O&M)
Date of decision: 08.08.2023

Gurmeet Singh Bablu

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. N.P.S. Hira, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG, Punjab
for respondent Nos.1 to 4.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Ms. Saigeeta Srivastava, Advocate for respondent Nos.5 and 6.

VIKAS BAHL, J. (ORAL)

1. This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ, order or direction to respondent Nos.2 and 3 to protect the life and liberty of the petitioner as the petitioner is an RTI Activist and was whistle blower with respect to two FIRs.

2. Learned Senior Counsel appearing on behalf of respondent Nos.5 and 6 has submitted that the inputs regarding the threat perception to the petitioner have been conveyed by the Union of India to the Government of Punjab on 17.03.2020.

3. Learned State Counsel has filed status report by way of an

affidavit of Satinder Pal Singh, PPS, Assistant Inspector General of Police, Security, Punjab, Chandigarh and has referred to para 8 of the said status report which is reproduced hereinbelow:-

“8. That in view of the abovementioned facts and circumstances, it is decided that one security personnel already deployed with the petitioner shall continue with the petitioner till 30.09.2023, on purely temporary basis, which will be subject to periodic reviews as per the guidelines laid down in the State Security Policy-2013. However, direction has been issued to Commissioner of Police, Amritsar to adequately sensitize the local police to take suitable, need based preventive measures so as to avoid any untoward incident.

In the light of the facts mentioned above, it is respectfully prayed that the present writ petition may kindly be dismissed in the interest of justice.”

4. A perusal of the above would show that as per the stand of the State, one security personnel has already been deployed with the petitioner and would continue with the petitioner till 30.09.2023 and the same would be subject to periodic reviews as per the guidelines laid down in the State Security Policy, 2013 and the directions have been issued to the Commissioner of Police, Amritsar to adequately sensitize the local police to take suitable, need based preventive measures so as to avoid any untoward incident.

5. Learned counsel for the petitioner has submitted that in view of the said reply, the only issue that remains is with respect to the fact that in case after 30.09.2023, the State, in its review finds that the said one security personnel is to be withdrawn then, it is prayed that before withdrawing the

same, 15 days notice be issued to the petitioner so that the petitioner, if aggrieved, would be able to seek his legal remedy.

6. Keeping in view the abovesaid facts and circumstances, more so paragraph 8 of the status report, the present Criminal Writ Petition is disposed of as having been rendered infructuous. The State would be bound by the averments made in paragraph 8 of the said status report.

7. It is clarified that in case, the review is carried out on or after 30.09.2023 and the competent authority of the State is of the view that the security personnel given to the petitioner is to be withdrawn then, before finally withdrawing the said security personnel, the petitioner be given 15 days notice in writing.

8. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

08.08.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No