

CRWP No.2132 of 2023

Neutral Citation No.:2023:PHHC:112419

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.2132-2023
Reserved on: 22.08.2023
Date of Decision: 28.08.2023

Bhupinderpal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aditya Dassaur, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

ANOOP CHITKARA, J.

The petitioner, who is stated to be a businessman, politician, President and National General Secretary of BC Wing Doaba of Shiromani Akali Dal and also the National General Secretary of Youth Akali Dal, fearing for his life and liberty at the hands of a terrorist organization Babbar Khalsa International, invoking the fundamental right of life guaranteed under Article 21 of the Constitution of India, has come up before this Court seeking protection through the State.

2. Counsel for the petitioner submits that the petitioner is involved in active politics and for that reason, he has to travel in various districts. He further submits that the petitioner is receiving threat letters and calls from the Babbar Khalsa International, from the year 2016. Counsel also submits that he would be contended and satisfied in case he files a fresh representation before the concerned Superintendent of Police/Commissioner of Police and the same may be decided in a time bound manner.

3. Counsel for the State on instructions submits that the threat calls were received in the year 2016 & 2021 and as of now, there is no threat perception.

4. Given above, let the petitioner represent the concerned Senior Superintendent of Police/ Commissioner of Police, within two weeks from today. If the petitioner files a representation within the above-mentioned time period, then the same shall be decided by the concerned Senior Superintendent of Police/ Commissioner of Police, within 15 days, either himself/herself or by authorizing and delegating it to any officer holding IPS cadre. It is clarified that such order must be a reasoned order, and the same be

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communicated to the representationists without delay. In the representation, petitioner to mention the e-mail-id of his counsel so that the concerned officer could communicate them outcome.

5. In the meanwhile, the concerned Superintendent of Police, SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to the petitioner for 15 days from today. However, if the petitioner no longer requires the protection, then at his request, it may be discontinued even before the expiry of 15 days. It is clarified that in case, the representation is not decided within 15 days, then extension application be filed before the Superintendent of Police and if threat perception persists, then the protection be granted on weekly analysis till decision of the representation.

6. Liberty reserved to the petitioner to file fresh petition or to take other legal remedies in accordance with the law.

7. It is clarified that there is no adjudication on merits. It is further clarified that this order shall not come in the way if the interrogation of the petitioner is required in any cognizable case.

8. **This order shall eclipse after thirty days from the date of pronouncement of final order.**

9. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

Petition is disposed of to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

28.08.2023
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Whether speaking/reasoned: Yes
Whether reportable: No