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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-26629-2022 (O&M)
Date of decision: 08.11.2023

Bajinder Singh and Another

....Petitioners

Versus

State of Punjab and Others

....Respondents

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

Present: Mr. Varun Sharma, Advocate for the petitioners.

Mr. Teevar Sharma, AAG, Punjab.

VINOD S. BHARDWAJ J. (Oral)

Prayer made in the present petition is for seeking issuance of directions to the official respondents to provide adequate and required security cover to the petitioners by enhancing the security cover already provided in view of the threats extended to them.

Short reply by way of affidavit of Satinderpal Singh, PPS, Assistant Inspector General of Police, Security, Punjab, dated 11.07.2023, had been filed wherein it has been averred as under:-

“4. That the respondents are guided by the norms and guidelines laid down in the State Security Policy, the relevant contents of the para are reproduced here for kind perusal of this Hon'ble Court, which states that "MHA guidelines contained in the Yellow Book prescribe regular security reviews on the basis of available threat inputs in order to increase or decrease security deployment on the basis of current threat perception. Yellow book also says

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that the tendency to continue with the security arrangements even in the absence of real threat should be avoided. In accordance with the above-mentioned MHA guidelines, regular security reviews would be carried out every six months. A State Level Review Committee (SLRC) would be set up for this purpose, which would obtain fresh Threat Perception Reports and carry out such security reviews every 6 months". According to the security policy, personal security cover to private individuals is provided on the basis of an evaluation of threat perception, which is subject to periodic reviews. The perception of threat is evaluated on the basis of an elaborate threat assessment exercise, and it is only after a careful consideration and an objective assessment and analysis of latest inputs received from the State Intelligence/field units that the security cover is deployed withdrawn/or modified accordingly. The office of the respondent i.e. Addl. DGP, Security, Punjab, is the competent authority for carrying out assessment of threat and for the deployment/withdrawal/review of security cover.

5. *That in compliance with this Hon'ble High Court orders, a fresh assessment of threat perception in respect of petitioners have been carried out by the office of Additional Director General of Police, Security Punjab, as per the guidelines prescribed in the State Security Policy-2013. In accordance thereof, afresh threat perception reports have been obtained from the concerned quarters.*

6. *That an objective assessment and appraisal of latest threat perception reports in respect of the petitioners have been obtained from the concerned quarters. The State Intelligence Wing Punjab has stated that the petitioner Sh. Prophet Bajinder Singh is a religious preacher of Christian*

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community and uses to preach in and outside of Punjab. The petitioner was threatened by one Vicky Thomes and called him fraudster through social media. A case FIR No.56 dated 02.04.2022, u/s 295-A, 506 IPC was registered at PS Ajnala against Vicky Thomes above on the complaint of Raju Singh Bhatti, President All India Christian Committee. According to the field unit report and office record, at present there is no specific threat input indicating any threat to his security from any terrorist/militant/gangster outfits operating in the country. However, in view of his position, he is a likely target of radical outfits more than most other Christian leaders in the State. And the petitioner Sh. Avtar Singh is associated with Prophet Baljinder Singh since 2016 and he is a Principal of Government School village Neshta near Attari Amritsar-Rural by profession. According to the field unit report and office record at present there is no specific threat input indicating any threat to his security from any terrorist/militant/gangster outfits operating in the country. The Sr. Supdt. of Police SAS Nagar has stated that the petitioner Sh. Bajinder Singh is residing with his family in Kothi No.139, Omax Phase-1, New Chandigarh, SAS Nagar. As per report the petitioner has already having 04 bouncer and 04 private PSOS total 08 private persons for his security. A total 09 HD/night vision cameras are installed inside and outside of the petitioner's house, which are operational and have a backup of about ten days. Two security personnel have been deployed with the petitioner Sh. Bajinder Singh from the Police Line, Mohali, on temporary basis. The petitioner goes to Jalandhar every Sunday morning for Christian preaching and on Sunday evening he conducts Christian preaching program at

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Village Chandpur, PS Majri, near Barodi Toll Plaza, in which there is a huge gathering of people. The area of these programs is covered from all sides. There are 04 cameras installed outside the gate, which are operational and in addition to this three more cameras have also been installed on the road side. Keeping in view the security arrangement force is deployed outside and around Church every Sunday by Distt. SAS Nagar of this program. In view of the above circumstances and keeping in mind the dispute going on between the Sikhs and Pastors for the past few years and the gathering of a very large number of people in the place of religious preaching it is necessary to give security to the petitioner. In view of the above, it is recommended to provide 03 security personnel to the petitioner i.e. Prophet Bajinder Singh for his security purpose. The Sr. Supdt. of Police, Jalandhar Rural has stated that the petitioner Sh. Bajinder Singh is the Head of Church of Glory and wisdom, village Tajpur PS Lambra, who is residence in Chandigarh. He comes to Tajpur Church every Sunday. He had received death threats in the past. It is pertinent to mention here that photograph of the petitioner was found in the vehicle of late Sh. Sudhir Suri, Shiv Sena leader at Amritsar. From this the threat to the petitioner Prophet Bajinder Singh's life and property cannot be ruled out. Keeping in view of the above circumstances, it is recommended to provide security cover to the petitioner i.e. Prophet Bajinder Singh. The Commissioner of Police, Amritsar has stated that the petitioner No.2 Sh. Avtar Singh is Chief attendant of the Church of Glory and Wisdom village Tajpur Distt. Jalandhar and he learnt from a news channel that a photograph of Paster Bajinder Singh having cross marked

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on it was found from the vehicle of an accused Sandeep Singh @ Sanny of Sudhir Suri murder case. Apart from this, a person named Vicky Thomes posted a video against the petitioner No. 2 Avtar Singh on his face-book channel. In this regard, he has registered case FIR No.50, dated 22.05.2022 u/s 295-A, 153-A, 506 IPC at PS Lambra, Jalandhar Rural and a case FIR No.56 dated 02.04.2022 u/s 295-A, 506 IPC at PS Ajnala Distt. Amritsar Rural in which legal process is undergoing. Apart from this, the petitioner No. 2 i.e. Avtar Singh had never given any complaint to the local police, regarding threats received to him. At present, there is no threat to the petitioner No. 2 i.e. Sh. Avtar Singh. However, special surveillance is being kept at his residence through patrolling and PCR Motor Cycle. In view of the above, it is not recommended to provide any security guard to the petitioner No.2 i.e. Sh. Avtar Singh.

7. That in view of the above mentioned facts and circumstance, it has been decided by this office that three security personnel already deployed with Prophet Bajinder Singh shall continue with the petitioner No.1, on purely temporary basis, which will be subject to periodic review as per the guidelines laid down in the State Security Policy-2013. And the provision of personal security cover to the petitioner No.2 i.e. Sh Avtar Singh at state expense is not warranted in the instant case, as per the guidelines laid down in the State Security Policy-2013. However, directions have been issued also to provide area security to the petitioners, to Commissioner of Police, Amritsar, Sr. Supdt. of Police Jalandhar Rural and Sr. Supdt. of Police, SAS Nagar, to adequately sensitize the local police to take suitable need based preventive measures so as to avoid any untoward incident.”

It is, thus, submitted that the objective assessment of the threat perception has been undertaken by the respondents and that in view thereof, 03 security personnels had been provided to petitioner No.1 – Bajinder Singh for his security. In so far as, the petitioner No.2 Avtar Singh is concerned, there is no complaint, regarding any threat received by him, has been submitted. A surveillance is, however, kept in his residence through patrolling and it has been recommended not to provide security guard to petitioner No.2.

The aforesaid written statement having been filed on 11.07.2023, there is no replication/rejoinder disputing the said aspect.

In view of the same, I am satisfied that the assessment done and the arrangement made by the respondents, to secure the life and liberty of the petitioners, are adequate.

Accordingly, the present petition is disposed of as having been rendered infructuous.

(VINOD S. BHARDWAJ)
JUDGE

08.11.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No