

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-1903-2019 (O&M)
Date of Decision:-28.03.2023

Muneesh Khanna

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Kamaldeep Kaur, Advocate for
Mr. G.S.Kaura, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking issuance of direction to respondents to protect the life and liberty of the petitioner and of other members of his family and to quash the order vide which the gunman, which had earlier been provided to the petitioner had been withdrawn.
2. Short reply dated 20.2.2020 by way of affidavit of Mr. Paramdip Singh Sandhu, AIG, Security, Punjab, Chandigarh, has been filed. The same is taken on record. A copy of the same has been furnished to learned counsel opposite. Para Nos.5 and 6 of the said short reply reads as under:

“5. That it is humbly submitted that as per report obtained from SSP Khanna, the instant petitioner had got recorded an FIR No. 95, dated 20.05.2019, at police station Khanna City 2, and that one PSO had been deputed with the petitioner, as a purely temporary precautionary measure. However, subsequent enquiry at the district level did not reveal the existence of any threat to the

petitioner, and as a result, the said PSO had been immediately withdrawn by SSP Khanna.

6. That at the very outset, it humbly submitted that the State Security Policy was notified by the Punjab Government on 02.09.2013 on the directions of the Hon'ble Supreme Court. As laid down in the Security Policy as under:

"police officers are recruited, trained and maintained at a huge cost borne by the taxpayer, and are, therefore, meant to be deployed for the protection of the community. Providing police officers to individuals for their protection at the cost of the taxpayer is not the function of the State or the government....."

"..... personal protection at State expense was always meant to be an exception, and not the rule. Personal security is only meant to be given to individuals who are facing a grave threat to their life from terrorist and militant outfits, or organized criminal syndicates and gangs, as laid down in the Yellow Book issued by the Ministry of Home Affairs, Government of India, in December 2003."

3. In view of the categoric stand of the State that the matter has been inquired into and it has been found that there is no imminent threat to the life and liberty of the petitioner or to other members of the family, no further directions are required to be issued in the petition at this stage. The petition, as such, is dismissed. It is however, clarified that in case, the petitioner nurses any apprehension as regards his security or as regards security of other members of his family, it shall always be open to the petitioner to approach the authorities again.

28.03.2023

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No