

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39913-2022
Date of Decision:06.03.2024

Satinder Singh ...Petitioner
Vs.
State of Punjab and others ...Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Molly A. Lakhanpal, Advocate
for the petitioner.

Mr. Jasjit Singh, DAG, Punjab.

Mr. Naveen Sharma, Advocate
for respondent No.4.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1971 with a prayer to direct the respondents No.1 to 3 to ensure that the loud speakers are not used loudly by respondent No.4.
2. A short reply by way of an affidavit of Deputy Superintendent of Police, Sub-Division Payal, Police District Khanna, District Ludhiana has been filed on behalf of the respondents No.1 and 3 and the same is taken on record.
3. Learned State counsel submits that after issuance of the notice, an inquiry was marked to the Deputy Superintendent of Police, Payal, who further got the matter inquired from the Station House Officer, Payal. Apart from that, the statement of respondent No.4 is recorded and he submitted that the loud speakers were not used on high volume and they had not violated the orders passed by the Government as well as this Court. He further submits that a report (Anneuxre R-1/T) has been prepared by the Sub

Divisional Magistrate, Payal and the relevant extract of the said report is as under:

“After consideration of above said statement and report, I have reached on this conclusion that no permission has been obtained by Jagdev Singh, President, Gurudwara Sahib Shaheedgarh Manager and Gurmat Parchar Sabha Majri, Tehsil Payal, District Ludhiana from any authority for the use of the loud speaker as per rule 5 of "The Noise Pollution (Regulation & Control) Rules, 2000" and that the loud speakers were being played at levels higher than the permissible limits.

As such, under rule 8.1 of “The Noise Pollution (Regulation & Control) Rules, 2000” Jagdev Singh President, Gurudwara Sahib Shaheedgarh, Mangement & Gurmat Parchar Sabha, Village Majri, Tehsil Payal, District Ludhiana is directed to immediately stop the use of loud speaker and that loudspeaker be used only after obtaining complete permission from the Authority and under permissible limits. In case of any violation of this order, action will be taken against you under Rule 6 of "The Noise Pollution (Regulation & Control) Rules, 2000" and under section 15 of "The Environment Protection Act, 1986" as per law”.

He further submits that respondent No.4 has already been instructed to use the loud speakers as per the Rules. Even learned counsel appearing for respondent No.4 has assured the Court that the loud speaker shall not be used on high volume and they will not violate the orders issued by the Government from time to time and the judgments passed by this Court as well as Hon’ble Supreme Court.

4. In view of the statement made by the learned State counsel as well as learned counsel for respondent No.4, no further directions are required and the present petition is accordingly disposed off.

06.03.2024

M.Sikka

(N.S.SHEKHAWAT)

JUDGE

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