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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-1670-2025 (O&M)
Date of decision: 18.02.2025

Jagjit Singh and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aayush Gupta, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. Present criminal writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the official respondents to protect the life and liberty of the petitioners and property of Gurudwara Sahib namely Shaheedi Gurudwara Sahib Baba Jai Singh Ji, from the hands of private respondents and further to consider and decide the representations (Annexures P-2 to P-5 & P-7) in a time bound manner.
2. Learned counsel for the petitioners, *inter alia*, contends that earlier, respondent No.10 Jagdeep Singh was working as Treasurer in

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aforementioned Gurudwara Sahib and after fresh election, he lost his post and in connivance with others, he created a group in order to deceive the people at large and also to encroach upon the property of said Gurudwara Sahib. It is further contended that the petitioners are office bearers of aforementioned Gurudwara Sahib, in which there is Samadhi of Baba Jai Singh Ji, who was common ancestor of the petitioners and all other persons of Guron Gotra among Jatt Sikhs. The private respondents created problem in functioning of aforementioned Gurudwara Sahib and as such, the petitioners filed a civil suit (Annexure P-1) seeking declaration and injunction against the private respondents. During pendency of said civil suit, the private respondents, in connivance with respondents No.5 & 6 and one Daviderpal Singh, earlier SHO, Police Station Samrala (since deceased), caused various atrocities upon Granthi of aforementioned Gurudwara Sahib as well as the petitioners. In this regard, the petitioners moved representations dated 18.09.2024, 20.09.2024, 23.09.2024 & 25.09.2024 (Annexures P-2 to P-5) before the official respondents, however, no action was taken against the private respondents. It is further contended that in the civil suit (Annexure P-1), an application under Order 39 Rules 1 & 2 of Code of Civil Procedure, 1908 was filed by the petitioners and learned Civil Judge (Jr. Divn.), Samrala, vide order dated 04.01.2025 (Annexure P-6), granted *ad interim* injunction in favour of the petitioners and the private respondents were restrained not to interfere in the management of aforementioned Gurudwara Sahib and holding of religious functions from time

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to time.

3. Learned counsel for the petitioners further contends that the atrocities caused by the private respondents, in connivance with official respondents, were recorded in CCTV camera installed in aforementioned Gurudwara Sahib, however, respondents No.5 & 6, in an illegal manner, removed the DVR. Even after passing of injunction order, the private respondents did not mend their ways and as such, on 18.01.2025, the Managing Committee decided to install CCTV cameras in aforementioned Gurudwara Sahib. When the CCTV camera were being installed, respondent No.5, at the behest of private respondents, stopped the petitioners from doing so and threatened to face dire consequences. Thereafter, petitioner No.1 submitted a detailed representation dated 18.01.2025 (Annexure P-7) before respondent No.3 to protect the life and liberty of the petitioners and on the same, no action has been taken till date.

4. Learned counsel for the petitioners further submits that the petitioners would be satisfied, in case a direction is issued to respondent No.3 to consider and decide the representation dated 18.01.2025 (Annexure P-7) submitted by petitioner No.1 in a time bound manner.

5. Notice of motion to the official respondents only.

6. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, accepts notice on behalf of respondents No.1 to 6-State. Learned counsel for the petitioners is directed to supply copy of complete paperbook to learned

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State counsel during course of the day.

7. Keeping in view the prayer made by the petitioners and without commenting anything on the merits of the case, present petition is disposed of with a direction to respondent No.3 to consider and decide the representation dated 18.01.2025 (Annexure P-7) submitted by petitioner No.1 within a period of two weeks from the date of receipt of certified copy of this order, in accordance with law.

18.02.2025
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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No