



CWP-14145-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-14145-2024
Date of decision : March 05, 2025

Dharam Pal YadavPetitioner
Versus
State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Naveen S. Bhardwaj, Advocate, for the petitioner
Mr. Pardeep Bajaj, DAG, Punjab

KULDEEP TIWARI,J. (ORAL)

1. Through the instant petition, prayer is made for issuance of mandamus upon the respondents to protect the life and property of the petitioner by providing adequate round the clock security to the petitioner in view of the repeated threat perception.
2. The petitioner is managing the affairs of Bhagwanpur Sugar Mill, Dhuri, District Sangrur, whereas, he is a permanent resident of Raj Nagar, Ghaziabad, Uttar Pradesh. Earlier there was a dispute between the management of the sugar mill, and the farmers on account of non payment of crop dues, which led to initiation of farmers agitation, and as the farmers formed “Ganna Sangharsh Committee”, who used to stage *dharnas* etc. outside the mill gate to get their dues. On account of dispute (*supra*), the petitioner received threat perception, and made numerous representation.
3. This Court vide order dated 16.1.2025, passed the hereinafter extracted order:-

“Through the instant petition, as cast under Article 226



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of the Constitution of India, prayer is made for issuance of mandamus upon the respondents concerned to protection the life and liberty of the petitioner by providing adequate round the clock security.

Learned counsel for the petitioner submits that number of representations were made to the authority concerned, however, no action has been taken so far. The indolent and the lackluster approach of the respondent concerned propelled the petitioner to file the instant petition.

Without going into the merits of the instant petition, it is apt to pass a mandamus upon the Addl. Director General of Police, Security to evaluate threat perception to the petitioner and also to evaluate as to whether there is any hindrance created by any person for smoothing functioning of Bhagwanpura Sugar Mill. In case there is any threat perception, the ADGP concerned shall in pursuance of the Notification No.5/74/13-5H4/4876 dated 2.8.2013 pass an appropriate order. Whatsoever decision is taken by the ADGP concerned shall be placed before this Court within 3 weeks from today.

Adjourned to 5.3.2025.

To be shown in the urgent list.

It is further made clear that no request for an adjournment shall be entertained on the next date of hearing from either of the parties concerned.”

4. In deference to the directions issued by this Court vide order (*supra*), a reply by way of affidavit of Sh. Ajay Kumar, PPS, Deputy Superintendent of Police, Security, Punjab, Chandigarh has been filed. The reply (*supra*), speaks about the information collected by the Special



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Director General of Police, Internal Security, Punjab, and the Additional Director General of Police, Anti Gangster Task Force, Punjab, from the inquiry is that, the dispute amongst the farmers, and management of the sugar mill has now been settled, and the entire dues, already stands paid to the farmers, and the so-called *dharna* has already been lifted by the farmers on dated 26.12.2023. It is also surfaced during the inquiry that the petitioner has not visited the sugar mill since December, 2023, and therefore, threat perception received by the petitioner is imaginary. However, the police authority has specifically observed that in case in future, the petitioner wants to visit the said sugar mill in the State of Punjab, then the local police authority, will ensure adequate security, to the petitioner, and in case the petitioner intends to revive the operations of the Bhagwanputa Sugar Mill, Dhuri, his safety and security will be assured in addition to that of the mill.

5. In view of the specific stand (*supra*), this Court, at this stage, deems it fit and appropriate to pass mandamus upon the authority concerned, that as and when the petitioner makes any representation expressing his intention to revive the functioning of the sugar mill or intention to visit the State of Punjab, the authority concerned, shall ensure adequate protection to the petitioner, after evaluation of threat perception.

6. **Disposed of** accordingly.

March 05, 2025

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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No