



THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-19392-2026

Date of decision : 23.06.2026

Narinder Nayyar and others

... Petitioners

Versus

State of Punjab and others

... Respondents

***CORAM: HON'BLE MR. JUSTICE VIKAS BAHL
HON'BLE MRS. JUSTICE RAMESH KUMARI***

Present: Mr.D.S. Sobti, Advocate (through V.C.),
Mr.Saurav Bhatia, Advocate.
Mr.Kuljinder S. Billing, Advocate,
Ms.Naveli Garg, Advocate and
Ms.Ramita K. Chowdhary, Advocate
for the petitioner.

Mr.Jastej Singh, Addl.A.G. Punjab.

VIKAS BAHL, J.(ORAL)

1. In the present civil writ petition, following prayers have been made:-

“Civil Writ Petition under Articles 226 and 227 of the Constitution of India, humbly praying for:

(a) Issuance of a Writ in the nature of Certiorari, quashing the notice/letter No. SPL-1 dated 21.06.2026 (Annexure P-7) issued by the Returning Officer-cum-Sub-Divisional Magistrate, Majitha (Respondent No. 3), calling a meeting on 23.06.2026 for administering oath and conducting election of President, Senior Vice-President and Vice-President of Municipal Council, Majitha, being illegal, without jurisdiction and in violation of the Punjab Municipal (President and Vice-

2026.PHHC:087944-DB



President) Election Rules, 1994;

AND

(b) Further humble prayer for issuance of a Writ in the nature of Mandamus, directing the Respondents to keep in abeyance the entire process/proceedings of the meeting dated 23.06.2026, pending the decision of the present writ petition and/or until the pendency of writ petitions challenging the election process of various wards of Municipal Council, Majitha, already pending before this Hon'ble Court;

AND

(c) Issuance of a direction/order directing the Respondents No. 4 and 5 not to arrest or take any coercive action against the Petitioners strictly for the limited and specific purpose of enabling the Petitioners to attend the said meeting scheduled on 23.06.2026 at 03:00 PM at the office of the Municipal Council, Majitha, and it is specifically averred and made clear that the protection from arrest/coercive steps prayed herein is sought only to the limited extent of enabling attendance at the said meeting on 23.06.2026, and that thereafter, the Petitioners shall seek appropriate relief of anticipatory bail from the competent court of law;

AND

(d) Issuance of writ in the nature of Mandamus directing official Respondents to ensure that the election of President, Senior Vice-President and Vice-President of Municipal Council, Majitha, be conducted under the supervision of an independent observer, preferably a senior IPS Officer from a district other than Amritsar, so as to ensure that the elections are conducted in a free, fair, and transparent manner, as mandated under The Punjab Municipal Act, 1911 and Punjab Municipal (President and Vice-President) Election Rules, 1994

AND

(e) Further issuance of Writ, Order or Direction for continuous and uninterrupted videography of the entire proceedings, both inside and outside the venue.

AND/ OR

(f) Pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case;

(g) Exempt the Petitioners from filing certified copies of Annexures, true



copies of the same being annexed herewith;

(h) Award costs of the present writ petition against the Respondents.”

2. Learned counsel for the petitioners has pressed prayer no.(c) and prayer no.(e).

3. Learned State counsel, on instructions, has submitted that the petitioners have also filed anticipatory bail before the Additional Sessions Judge, Amritsar. It is submitted that in order to enable the petitioners to attend the meeting which is to be held at 3:00 PM at the office of Municipal Council, Majitha, the respondents or any of its authorities would not arrest the petitioners till the mid-night of 23.06.2026. It is submitted that the same would be only for the purpose of the petitioners attending the said meeting and should not be construed as an expression on the merits or concession on behalf of the State to oppose the anticipatory bail application filed by the petitioners. It is further submitted that the petitioners would not press the anticipatory bail which has been filed today. It is further submitted that the respondents should be given all liberty to oppose the said anticipatory bail of the petitioners as and when the same is argued by the learned counsel for the petitioners. It is submitted that with respect to the prayer of videography, the respondent authorities have already decided to videograph the election process in accordance with law.

4. Learned counsel for the petitioners has submitted that in view of the fair stand taken by the learned State counsel, the petitioners would not argue the anticipatory bail today and would seek adjournment to argue



the anticipatory bail either tomorrow or on any other date in accordance with the convenience of the Court and the parties concerned.

5. Keeping in view the above said facts and circumstances and the fair stand taken by learned counsel for the petitioners as well as learned State counsel, the present petition is disposed of with the following observations / directions:-

i) The petitioners, as undertaken before this Court, would not be arrested by the respondent-State and would be permitted to attend the meeting which is scheduled for today at 3:00 PM at the office of Municipal Council, Majitha and would be permitted to participate in the election of President, Senior Vice President, Vide President of Municipal Council, Majitha. The said order would not be construed as an expression on the merits and would also not estop the respondent-State from opposing the anticipatory bail application of the petitioners when the same comes up for hearing before the competent Court of jurisdiction.

ii) The petitioners, as undertaken before this Court, would seek an adjournment before the Court of Additional Sessions Judge, Amritsar for arguing anticipatory bail application and the same would be adjourned to a date which is convenient to the Court as well as to the parties concerned.



iii) It is made clear that the said anticipatory bail would be decided by the Competent Court independent of the observations and the protection granted by this Court after hearing all the parties concerned.

iv) With respect to the videography, the State would be bound by the statement made before this Court.

(VIKAS BAHL)
JUDGE

(RAMESH KUMARI)
JUDGE

June 23, 2026.
Davinder Kumar

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