
(2013) 05 P&H CK 0217
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 12455 of 2013

Kanwaljit Singh Lally

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 30-05-2013

Acts Referred:

Citation : (2013) 171 PLR 364

Hon'ble Judges : Rajiv Narain Raina, J

Bench : Single Bench

Advocate : D.D. Sharma, for the Appellant;

Final Decision : Disposed Off

Judgement

Rajiv Narain Raina, J.—Learned counsel for the petitioner contends that the petitioner is a former Member of Legislative Assembly. He belongs to a party in opposition. Security cover had been provided to him by the State Government, which has been withdrawn without notice or hearing in February, 2013. The petitioner continues to serve his party as District President of Congress Jalandhar Rural and was holding the charge of Parliamentary Secretary of the Department of Home and Defence. In 2012, the petitioner's constituency was declared reserved after delimitation and, therefore, he did not contest the last election. He submits that he continues to remain under threat and requires security for his protection.

2. Having heard Mr. Sharma for the petitioner, I am of the view that issues of security are based on actual threat perception gathered from intelligence agencies and field units of the police. Assessment remains a specialized area within the jurisdiction of the State Government. However, in case, security had been provided and was withdrawn a few months back, the petitioner has a right to know the reason as to why the security was withdrawn. Therefore, it would be in the fitness of things that a direction should go to the Additional Director General of Police (Security), Punjab, Chandigarh, to reconsider and re-examine

the threat perception of the petitioner and in case, security is found justified then to act accordingly. Let a fresh decision be taken within 30 days from the date of receipt of the certified copy of this order by disclosing reasons for grant or denial of security and the same be communicated to the petitioner in writing.

3. In case, any input is required from the petitioner, the respondent would remain free to call him for the purpose. Disposed of with the above observations and directions.