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**CWP-PIL-22-2023 and
CWP-11390-2023**

Arrive Safe Society vs. State of Punjab and others

Present:- Mr. Ravi Kamal Gupta, Advocate,
for the petitioner (in CWP-PIL-22-2023).

Mr. Lalit Singla, Advocate,
and Ms. Varsha Sharma, Advocate,
for the petitioner (in CWP-11390-2023).

Mr. Vinod Ghai, Advocate General, Punjab,
with Mr. V.G. Jauhar, Addl. A.G., Punjab.

Mr. A.M. Punchhi, Public Prosecutor,
for U.T., Chandigarh.

None for the Protestors.

Mr. Nav Kiran Singh, Advocate,
with Mr. Dilsher Singh, Advocate,
for the “*Morcha*”.

In pursuance of the earlier order dated 17.08.2023, affidavit of Dr. Sandeep Kumar Garg, IPS, Senior Superintendent of Police, SAS Nagar, Mohali has been filed on behalf of respondent Nos.1 to 3 and 5.

It has been averred in the affidavit that the protestors at the site as such are using religious and emotional sentiments and have also opened Prakash of Sri Guru Granth Sahib and there are number of women and children amongst the protestors. It has further been averred that in pursuance of the last date of hearing, high level meeting was held on 03.09.2023 at PSPCL Guest House, SAS Nagar, Mohali under the supervision of Sh. Arpit Shukla, IPS, Special Director General of Police, Law and Order and interaction was done with the representatives of *Quami Insaaf Morcha*. It has accordingly been averred that there has been success to some extent

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that the road from Chandigarh to Mohali adjoining Yadwindra Public School has been opened on one side for normal flow of traffic. The relevant portion of the affidavit reads thus:-

“5.....Further, the representatives of the Quami Insaaf Morcha also assured that they will co-operate with the State of Punjab and UT Chandigarh for opening one side of the road adjoining the Yadwindra Public School (YPS), SAS Nagar for normal flow of traffic after removal of barricades on the Chandigarh side.

6. That in furtherance to the above, substantial progress has been achieved in removing the inconvenience caused to the commuters and residents of the area due to the blockage of road from YPS Chowk towards Chandigarh side. It is pertinent to mention here that as a result of sincere and dedicated efforts of district administration, one side of the road running from Mohali to Chandigarh adjoining YPS School has now been opened for normal flow of traffic and now there is normal and smooth flow of traffic from YPS Chowk towards Chandigarh side and vice-versa.

7. That it was further decided to make sincere efforts in a positive environment to resolve all issues peacefully and amicably and completely lift the dharna at the earliest. It was further decided to schedule the next meeting within short span of time to monitor the progress.

Mr. Vinod Ghai, Advocate General, Punjab has further submitted that if more time is granted, he is hopeful that further progress is possible without resorting to any harsh steps.

Keeping in view the above, we are of the considered opinion that the opening of the road as such on one side has amounted to some respite to the commuters and residents of the area. However, keeping in view the fact

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that there is very heavy traffic flow on the road in question as it is one of the most commonly used road by the commuters of the Tricity, it cannot be said that there is normal and smooth flow of traffic, as has been averred in the affidavit.

Counsel for the petitioner also prays for time to file a counter affidavit and give his response since the said development is only as recent as of yesterday and there are conflicting versions as to whether the averments made in the affidavit would give a correct picture at the present point of time. We are further hopeful that the progress which has been achieved can further be acted upon by the concerned authorities keeping in view the fact that order has already been passed by this Court and also the fact that there are approximately only 150 protestors who have already been asked to move to a designated spot so that general public is not put to inconvenience.

Accordingly, proceedings are adjourned to 09.10.2023.

Photocopy of the order be placed on the file of connected case.

(G.S. SANDHAWALIA)
JUDGE

05.09.2023
shivani

(ALOK JAIN)
JUDGE