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CWP-PIL-22-2023 (O&M) 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. Gurminder Singh, Advocate General, Punjab, assisted by
Mr. Gagneshwar Walia, Addl. Advocate General, Punjab.

Mr. Amit Jhanji, Senior Standing Counsel, UT Chandigarh, with
Mr. Abhnav Sood, Advocate and
Ms. Anand Gupta, Advocate, for the respondent – UT.

Mr. Satya Pal Jain, Addl. Solicitor General of India, with
Ms. Saigeeta Srivastava, Advocate, for UOI.

Mr. G.P.S. Bal, Advocate, and
Mr. G.S. Dhaliwal, Advocate,
for the protestors.

Despite repeated opportunities given, neither the State of Punjab nor the Union Territory, Chandigarh, has been able to give any redressal to the commuters of Chandigarh and SAS Nagar Mohali. On account of handful persons sitting and blocking the road, inconvenience is being caused to the commuters and residents of the Tri-city and the misery is continuing.

The Union of India had also been impleaded on 09.10.2023.

It is also to be noticed that the Director General of Police, Punjab, had also been summoned in the matter almost one year back. Only on account of the fact that some of the protestors have been hiding behind a shield of religious legitimacy by placing the Guru Granth Sahib would not as such give the State reason not to act against the persons concerned, who are misusing the religious sentiments.

It is also apparent from the photographs which have been placed on record that there is no large gathering. In spite of the fact that it is well known that all the agitators from the rural background are busy in harvesting and it is most opportune time to remove the blockage of the road, the State of Punjab and the Union Territory, Chandigarh, are dragging their feet for the reasons best known to them.

Resultantly, we defer the proceedings for 18.04.2024 hoping that the State of Punjab and the Union Territory, Chandigarh, will wake up from their slumber and keep in mind the observations of the Apex Court in *State of Himachal Pradesh and another Vs. Umed Ram Sharma, 1986 (2) SCC 68* and *Amit Sahni Vs. Commissioner of Police and others, 2020 (10) SCC 439*.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

(LAPITA BANERJI)
JUDGE

April 09, 2024

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