



119 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 Singh, and Ms. Versha Sharma, Advocates,
for the petitioner (in CWP-11390-2023).

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

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

Mr. Navkiran Singh, Advocate, for the '*Morcha*'.

Affidavit, dated 28.07.2023, of Sh. Mridul, IPS, the Superintendent of Police (City), Union Territory, Chandigarh, has been filed in Court today, which is taken on record.

In the aforesaid affidavit, it is stated that the protesters are moving a '*Jatha*', on a daily basis from the protest site to Sector 52-53 dividing road through Mohali, where they chant religious hymns. Thereafter, they returned to the protest side at Sector 51-52 dividing road on a daily basis. Police personnel are being deployed regularly at the camp site, as well as at Sector 52-53 dividing road border on the Mohali side. Apparently, there are only 100-120 protesters during the day and the number dwindle to about 70-80 at night, as per the affidavit.

It is further averred in the affidavit that on 06.07.2023, a meeting was held between the police officials and the representatives of the protesters and they were advised to seek recourse to their legal remedies. Similar meetings were also held on 21.07.2023 and 27.07.2023 which included the officials from the State of Punjab and efforts have been made for peaceful resolution of the issue.

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Another affidavit, dated 02.08.2023, of Dr. Sandeep Kumar Garg, IPS, Senior Superintendent of Police, District SAS Nagar, Mohali, has been filed in Court today, which is also taken on record.

The said affidavit is also on the same lines that the meeting was held to resolve the issues and that the representatives of '*Qaumi Insaaf Morcha*' were asked to remove the '*Dharna*' in view of the inconvenience faced by the public. Alternates sites, which were already designated for protests in SAS Nagar, also suggested to the representatives and they proposed to open one side of the road running from Mohali to Chandigarh but they sought time to consult with their Committee members before finalizing anything.

Mr. Navkiran Singh, Advocate, who is appearing for the '*Morcha*' further assured the Court that an effort will be made to resolve the issue by the next date of hearing.

We are inclined to put it down in Black and White that the law as such is clear that public roads cannot be blocked and general public cannot be put to inconvenience and we would have no hesitation to issue such directions to the State to get the roads cleared by using force, if necessary.

Accordingly, we defer the proceedings for 17.08.2023, with the hope that better sense would prevail upon them.

A photocopy of this order be placed on the file of the other connected case.

(G.S. SANDHAWALIA)
JUDGE

August 02, 2023
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(HARPREET KAUR JEEWAN)
JUDGE