



116 CRM-M-6573-2025 (O&M)

**BALJINDER KAUR AND ANR VS STATE OF PUNJAB
AND ORS**

Present: Mr. P.S. Punia, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

Present petition has been preferred under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking directions to respondent No.2 to further direct respondent No.4 not to harass the petitioners on the basis of frivolous applications of respondent No.6 and decide the representation dated 20.06.2024 (Annexure P-1) moved before respondent No.2, seeking police protection.

Learned counsel for the petitioners, *inter alia*, submits that an inquiry was conducted by the Assistant Commissioner of Police (South), Ludhiana, on the complaint moved by respondent No.6 and it was concluded that the matter is of civil nature. Respondent No.6, being influential and financially sound, has been provided gunmen by the police authorities, when they are not entitled to any protection. In fact, the gunmen are also harassing the petitioners by forbidding them from entering the house constructed on the disputed plot.

Learned State counsel could not controvert the fact that respondent No.6 has been granted police protection as per the letter dated 16.12.2024 issued by the Additional Director General of Police, Security, Punjab to the Commissioner of Police, Ludhiana.

Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that respondent No.6 was granted police protection as per the letter dated 16.12.2024 issued by the Additional Director General of Police, Security, Punjab. The same has been reproduced below:

*“From
The Addl. Director General of Police
Security, Punjab, Chandigarh*

*To
The Commissioner of Police
Ludhiana*

*Memo No.54301/DDSB-6
Dated, Chandigarh, the: 16-12-24.*

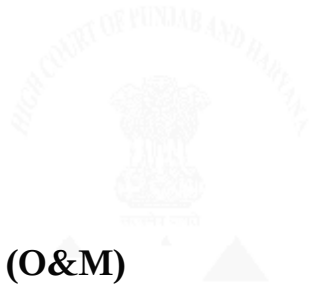
Subject: Regarding providing One police personnel to Sh. Inderjit Singh so Sh. Major Singh r/o Phullanwal, PS Sadar Ludhiana, district Ludhlana

Please provide One police personnal to Sh. Inderjit Singh on payment basis. The payment be received in advance for the period of three months from the protectee, which should include total salary Pensionary Benefits and Rs. 12,000/-(per month) as facilitations charge and the cheque/DD on the name of AIG/Security O/o ADGP, Security, Punjab, Chandigarh, be sent to this office in advance immediately under intimation to this office.

*for Addl. Director General of Police
Security, Punjab, Chandigarh*

No. /DDSB-6, Dated:-

A copy of the above is forwarded to Sh. Inderjit Singh s/o Sh. Major Singh rio Phullanwal, PS Sadar Ludhiana, district



Ludhiana, for information and necessary action.”

On 05.02.2025, following order was passed by this Court:

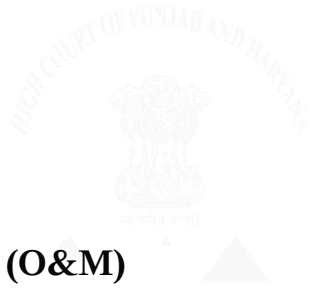
“The learned State counsel appears on receipt of advance notice and seeks short accommodation to have complete instructions with regard to the status of the matter and also directed to file a specific affidavit by mentioning therein how many gun men or police persons have been provided to respondent No.6 and the order vide which the security coverage provided be placed on record.

Adjourned to 20.02.2025.”

However, no such affidavit has been placed on the record. Learned State counsel seeks one last opportunity to furnish the same.

This Court has observed that the police protection is being granted to citizens, if they make the requisite payment, in terms of the State Security Policy. It is inherently unfair for the financially well-off individuals to receive police protection simply because they can afford it, as this creates a two-tiered justice system that privileges the wealthy over the vulnerable. In a society that values equality, access to public services, including law enforcement, should be based on need and risk, not economic status. When only those with the financial means can afford additional security, it exacerbates existing inequalities and undermines the principle that all individuals are entitled to the same level of protection under the law. This not only fosters resentment and division but also suggests that wealth equates to greater worth, which undermines the idea of justice as a universal right.

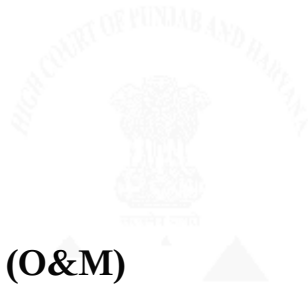
In view of the above, the Director General of Police, Punjab is



directed to file an affidavit mentioning the following information:

- (i) The comprehensive policy qua providing police personnel for personal security of private citizen. It is further directed that the latest policy in this regard also be annexed with the affidavit.
- (ii) The Standard Operating Procedure, if any, with respect to the district police chiefs deploying police personnel for security of private individuals.
- (iii) The officer(s) authorized to grant police protection, on payment or otherwise.
- (iv) The criteria for appraising a threat perception in order to determine whether police personnel are required to be provided from battalion and district.
- (v) The appointment of any nodal officers for periodic reassessment, and the prescribed timeline for the same.
- (vi) The number of police personnel, including their battalions and districts, that have been deployed towards providing security to private citizens as well as the number of protectees.
- (vii) Also indicate whether any discretionary power vests in the Incharge, Security, Punjab or District Police Chiefs to provide security to private citizens, by deviating from the policy.

The Director General of Police, Punjab is further directed to furnish the said affidavit within a period of four weeks from the date of receipt



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of certified copy of this order.

Adjourned to 25.03.2025.

20.02.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

