



**123 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.9901-2026 (O&M)

Date of Decision: 01.04.2026

RANA INDER PRATAP SINGH AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Sunil Chadha, Senior Advocate with
Mr. Rajinder Singh Bhatta, Advocate and
Mr. Raghav Chadha, Advocate for the petitioners.

HARSIMRAN SINGH SETHI, J. (Oral)

1. The present petition has been filed by the petitioners seeking issuance of directions to respondents to ensure free, fair, democratic and transparent conduct of elections for the post of Chairman and Vice Chairman of Panchayat Samiti, Fattu DHINGA, Tehsil Sultanpur Lodhi, District Kapurthala with a further direction that the entire voting process be videographed.

2. Learned Senior counsel appearing on behalf of the petitioners submits that though the voting for election to the post of Chairman and Vice Chairman of Panchayat Samiti, Fattu DHINGA, Tehsil Sultanpur Lodhi, District Kapurthala has been fixed for today but, the same is not being done in a manner required rather, a situation of lawlessness is being created. Learned Senior counsel for the petitioners further submits that appropriate directions needs to be given to the authorities concerned for holding a peaceful, free and fair election to the said post and similar directions as being sought have already been given by this Court while passing order in *CWP No. 7832-2026* titled as '*Taranjit Singh and others v. State Of Punjab*



And others', decided on 13.03.2026 be implemented qua the elections in Panchayat Samiti, Fattu DHINGA, Tehsil Sultanpur Lodhi, District Kapurthala as well. Hence, the present petition may kindly be disposed of in the same terms as held in *Taranjit Singh's case (supra)*.

3. Notice of motion.

4. Mr. Rahul Rampal, Addl. A.G., Punjab, appears and accepts notice on behalf of the respondent-State.

5. Learned State counsel submits that though the elections for the post of Chairman and Vice Chairman of Panchayat Samiti, Fattu DHINGA, Tehsil Sultanpur Lodhi, District Kapurthala were fixed for today but, the same has already been postponed to be held now on 04.04.2026. Learned State counsel submits that the directions issued by this Court for holding the elections, as passed in *Taranjit Singh's case (supra)* will also be made applicable while conducting the elections to the post of Chairman and Vice Chairman of Panchayat Samiti, Fattu DHINGA, Tehsil Sultanpur Lodhi, District Kapurthala on 04.04.2026.

6. Learned Senior counsel for the petitioners submits that although, the grievance of the petitioners qua holding of the elections in a free and fair manner has been redressed.

7. We have heard learned counsel for the parties and have gone through the case file with their able assistance.

8. Keeping in view the agreement reached at between the parties, the present petition is disposed of in same terms as held in *Taranjit Singh's case (supra)*. For the ready reference, the order dated 13.03.2026 passed in *Taranjit Singh's case (supra)* is reproduced here under:

"1. The present petition has been filed by the petitioners seeking issuance of directions to the official respondents



to ensure free, fair, democratic, transparent elections for the post of Chairman and Vice Chairman of Panchayat Samiti Dera Baba Nanak, District Gurdaspur, which are scheduled to be held on 17.03.2026.

2. Learned counsel for the petitioners prays that the election proceedings be videographed so that free and fair elections for the posts of Chairman and Vice-Chairman of Panchayat Samiti, Dera Baba Nanak are ensured and transparency is maintained.

3. Learned counsel for the petitioners further prays that the elections to the posts of Chairman and Vice-Chairman of Panchayat Samiti, Dera Baba Nanak be conducted through a system of secret ballot papers and the same be held in a neutral administrative location i.e. the office of the Deputy Commissioner instead of the office of the SDM, so that the elections are conducted in a free, fair and transparent manner. Learned counsel for the petitioners further submits that though the elections are scheduled to be held in four days from today and the police have already started visiting the houses of members who are to cast their votes, in order to pressurize and intimidate the public, therefore, adequate security be provided to them till the date of election, so that they may cast their vote on their own will rather than being forced by anyone.

4. Notice of motion.

5. Mr. Rahul Rampal, Additional Advocate General, Punjab appears and accepts notice on behalf of the respondent-State.

6. Learned counsel appearing on behalf of the respondent-State submits that the endeavour of the State is to protect the will of the people as well as the elected members of the Panchayat Samiti, and they will be given due opportunity to express their will while casting vote to the posts of the Chairman and Vice-Chairman of Panchayat Samiti, Dera Baba Nanak in the elections scheduled to be held on 17.03.2026, which will not be postponed unless the required quorum is not completed.

7. Learned counsel for the respondent-State further submits that in case, the petitioner is ready to bear the cost of the videography of election process, the Video recording of the election process will be done to show that the State has nothing to hide and that every member is given a fair opportunity to cast his/her vote to elect the Chairman and Vice-Chairman of Panchayat Samiti, Dera Baba Nanak.



8. *Learned counsel for the respondent-State further submits that no member shall be estopped from casting his or her vote in any manner on the scheduled day. It is further submitted that if any apprehension is raised before the Deputy Commissioner prior to the elections, the same shall be addressed in the manner required, and that too prior to the holding of the elections, i.e., before 17.03.2026.*

9. *We have heard learned counsel for the parties and have gone through the case file with their able assistance.*

10. *Keeping in view the very fair stand taken by the State, it is directed that the elections for electing the Chairman and Vice Chairman of Panchayat Samiti Dera Baba Nanak to be held on 17.03.2026, the same will be videographed at the cost of the petitioner to ensure that it is conducted in free and fair manner.*

11. *Further, the said elections will be undertaken based upon the secrete ballot papers and no member will be restrained in any manner from participating in the election process. Even if, any member is required in any case, or is in police/judicial custody then also the said member will be allowed to cast his/her vote on the election day and they will remain in such custody. It is further directed that after the casting of the vote by any member who is in the police/judicial custody, he/she will remain in such custody and will be taken back to the place from where they were brought from for the purpose of casting their votes.*

12. *As an apprehension has been raised by learned counsel for the petitioners with regard to the holding of the election in the office of the SDM as the neutral administrative venue, and as the State has already assured this Court that the elections will be conducted in a free and fair manner, as a matter of precaution and to avoid any suspicion, it would be in the interest of justice that the election scheduled for 17.03.2026 be conducted in the presence of the concerned Deputy Commissioner as prayed for by the petitioners.*

13. *The present petition is disposed of in above terms.*

14. *It may be noticed that this order, will be good enough to allow such persons who are in police/judicial custody to cast their vote and any authority including the jail authority shall be bound by the said order.*

15. *Pending civil miscellaneous application(s), if any, stand disposed of.”*



9. It is further directed that only the members who are entitled to vote as per provisions of the Punjab Panchayati Raj Act, 1994 for the election to the post of Chairman and Vice-Chairman of the concerned Panchayat Samiti will be allowed at the venue of elections and no other person will be allowed to enter or loiter near the said venue. However, any officer who is needed by the Deputy Commissioner concerned for conduct of the smooth election will also be allowed to enter the venue.

10. It may also be clarified that this order is being passed not because any illegality has been done by the State, rather, the present order is being passed so that no allegation qua the conduct of election process is raised, and free and fair election is conducted.

11. At this stage, learned Senior counsel for petitioners submits that a Court Observer be also appointed for which task, he will be paid the required remuneration. Regarding this, Ms. Shruti, Advocate, present in the Court having Enrolment No.PH/8594/2025, House No.132, Ext-2, Jhugian Road Aman City, Kharar is appointed to be the Court Observer for the elections to be held on 04.04.2026 at 11:00 a.m. in the Office of the Deputy Commissioner, Kapurthala. She will be provided a Innova car for the transportation by the petitioners from their own resources for journey to the venue from her residence and back home.

12. The State of Punjab is requested to provide full security to Ms. Shruti, Advocate/Court Observer so as to observe the said elections at the said venue. Ms. Shruti, Advocate/Court Observer after observing the election, will furnish a report to this Court. For the aforesaid purpose, the Court Observer so appointed will be paid a sum of Rs.50,000/- as remuneration by the petitioners, in advance, before starting the journey.

13. Present writ petition is disposed of accordingly.



14. This order be brought to the notice of all the members of the Panchayat Samiti, Fattu DHINGA Tehsil Sultanpur Lodhi, District Kapurthala by Deputy Commissioner, Kapurthala, who are eligible to vote in the election fixed for 04.04.2026.

15. Pending civil miscellaneous application(s), if any, stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

01.04.2026
sapna adhikari

Whether Speaking/Reasoned : Yes
Whether Reportable : No