

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 23 2025

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

LABH SINGH PUNIA,

Petitioner,

v.

PAMELA BONDI, Attorney General,

Respondent.

No. 24-4042

Agency No.
A246-259-302

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 14, 2025**

Before: HAWKINS, S.R. THOMAS, and McKEOWN, Circuit Judges.

Labh Singh Punia (“Punia”) petitions for review of the Board of Immigration Appeals’ (“BIA”) order affirming the Immigration Judge’s (“IJ”) denial of his application for asylum, withholding of removal and protection under the Convention Against Torture (“CAT”). We review the agency’s factual determinations for

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

substantial evidence, *Ali v. Holder*, 637 F.3d 1025, 1028–29 (9th Cir. 2011), and we deny the petition.

Punia asserted he was a victim of past persecution at the hands of the police and individuals associated with the Bharatiya Janata Party (“BJP”) and Rashtriya Swayamsevak Sangh (“RSS”) in the state of Haryana, India, because of his activities in support of the Indian National Lok Dal party (“INLD Party”), a regional political party with minimal presence in national politics. The BIA adopted and affirmed the IJ’s determination that even if Punia established past persecution on account of political opinion, the Department of Homeland Security (“DHS”) successfully rebutted the presumption of a well-founded fear of future persecution by showing that Punia would be able to safely relocate within India and that it would not be unreasonable to expect them to do so. 8 C.F.R. § 1208.13(b)(3).

The agency’s decision is supported by substantial evidence. The IJ concluded it would be reasonable for Punia to relocate to Punjab, as Punia was Hindu and speaks Hindi (the second most common language and religion in Punjab), and had educational and vocational skills which would enable him to work there. 8 C.F.R. § 1208.13(b)(3). The IJ also analyzed the individual circumstances and concluded Punia could safely relocate to Punjab, as all the harm he had previously suffered was within the state of Haryana. The IJ noted that neither BJP nor RSS were controlling parties in the Punjab, as the Aam Aadmi Party (“AAP”), a group which had never

harmed Punia, was now in power in Punjab. *See Singh v. Holder*, 753 F.3d 826, 834–35 (9th Cir. 2014). The agency’s relocation determination defeats Punia’s claim that he has a well-founded fear of future persecution, and thus his claims for asylum and withholding of removal fail. *Duran-Rodriguez v. Barr*, 918 F.3d 1025, 1029 (9th Cir. 2019).

The BIA also affirmed the IJ’s conclusion that Punia had failed to demonstrate eligibility under CAT. Substantial evidence supports the agency’s determination, as the record fails to compel the conclusion Punia would not be able to relocate within India and avoid torture. *Aguilar Fermin v. Barr*, 958 F.3d 887, 893 (9th Cir. 2020).

PETITION DENIED.