

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

**CRWP No.5970 of 2020 (O&M)**  
**DATE OF DECISION: 17.08.2020**

Chandni Begum .....Petitioner  
versus

State of Punjab and others .....Respondents

**CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. Gurmail Singh Sandhu, Advocate for the petitioner  
..

**ALKA SARIN, J.:** (Oral)

Heard through video conferencing.

The present petition has been filed under Article 226 of the Constitution of India for issuing a direction to respondent Nos.1 to 3 for protection of life and liberty of the petitioner at the hands of respondent No.4.

It has been contended by the learned counsel for the petitioner that date of birth of the petitioner is 01.01.1997. She got married to respondent No.4 about ten years ago when she was only 13 years of age. Respondent No.4 never treated her well and used to physically and mentally torture her. It is further the contention of learned counsel for the petitioner that about six months back respondent No.4 tried to murder the petitioner by pouring pesticide into her mouth forcibly. When she complained to her parents, they asked the petitioner to go back to her husband's house. The petitioner has three children, who were also maltreated and tortured by her husband. The petitioner has since left her matrimonial home and sought shelter with one of her friends namely Money Kumar son of Madan Lal and is presently residing with the said Money Kumar. The petitioner had also made a representation dated 28.07.2020 (Annexure P/2) to the Senior

Superintendent of Police, Kapurthala, for protection of her life and liberty and also that of her friend Money Kumar who was taking care of her, but to no avail.

Notice of motion.

On the asking of the Court, Ms. Samina Dhir, DAG, Punjab has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 3.

I have heard learned counsel for the parties.

Since this Court is not deciding the case on merits, service on respondent No.4 is dispensed with.

Article 21 of the Constitution of India guarantees the protection of life and personal liberty of every person. It lays down that no person shall be deprived of his or her personal liberty except in accordance with the procedure established by law. In the present case, since the petitioner has approached this Court for protection of life and liberty as enshrined under Article 21 of the Constitution of India, irrespective of the status of her relationship with the said Money Kumar, this Court is duty-bound to ensure that she is not deprived of her personal liberty except according to the procedure established by law.

In view of the above, without expressing any opinion with regard to the veracity of the contents of the petition and the submissions made by learned counsel for the petitioner, the present petition is disposed off with a direction to the Senior Superintendent of Police, Kapurthala, respondent No.2, to decide the representation dated 28.07.2020 (Annexure P/2) submitted by the petitioner seeking protection of life and liberty in accordance with law, after hearing the parties concerned.

It is, however, made clear that any observation made above shall neither be treated as a stamp of the Court qua the relationship of the petitioner with the said Money Kumar nor as an opinion on the contentions raised in the present petition.

**17.08.2020**

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**(ALKA SARIN)**

**JUDGE**

**NOTE:**

*Whether speaking/non-speaking: Speaking*

*Whether reportable: YES/NO*