

CRWP-6847-2020

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

CRWP-6847-2020

Date of Decision: 07.09.2020

Sunil Kumar and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Parvesh Sachdeva, Advocate,
for the petitioners.

HARNARESH SINGH GILL, J.(Oral)

The present criminal writ petition has been filed under Article 226 of the Constitution for issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect the life and liberty of the petitioners, who apprehend danger at the hands of respondents No.4 to 7, and further directing the said respondents not to interfere in the peaceful life of the petitioners.

Learned counsel for the petitioners contends that petitioner No.1 is the father of petitioners No.2 and 3; that petitioner No.1 was married to respondent No.4 and vide a mutual divorce dated 17.02.2020, custody of petitioner No.3 was handed over to respondent No.4. He further contends that respondent No.4 had got re-married to respondent No.5 and while staying together, respondents No.4 and 5 had ill-treated petitioner No.3; that she was not sent to the school, was asked to do the household work and was not allowed to attend the school and that ultimately, she was dropped from the school. He further contends that the respectables have handed over the

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custody of petitioner No.3 to petitioner No.1 and now she has been admitted to DPS School at Fazilka and she is attending the school regularly through Video Conferencing. Still further, it is contended that though the custody of petitioner No.3, is with petitioner No.1, respondent No.4 can approach the court of competent jurisdiction for her custody.

At this stage, learned counsel for the petitioners submits that he would be satisfied, if representation dated 26.08.2020 (Annexure P-1), moved by petitioner No.1, is decided by respondent No.2-Senior Superintendent of Police, Fazilka, within a stipulated period.

Notice of motion to respondents No.1 to 3 only at this stage.

On the asking of this Court, Mr. Ajay Pal Singh Gill, DAG, Punjab, accepts notice on behalf of respondents No.1 to 3.

As the learned counsel for the petitioners has confined his prayer to the extent of decision of the representation (Annexure P-1), there is no requirement for issuing notices to the private respondents.

In view of the aforesaid prayer made by the learned counsel for the petitioners, the present petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, Fazilka, to decide the representation dated 26.08.2020 (Annexure P-1), moved by petitioner No.1 within one month after receiving the copy of this order, in accordance with law.

07.09.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No