

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

**(Proceedings conducted through video conferencing on account of
Covid-19 Pandemic)**

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**CRWP No. 6804 of 2020
Date of decision : 04.09.2020**

Shanti Devi and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. J.S.Thakur, Advocate
for the petitioners.

VIVEK PURI,J. (ORAL)

Heard.

Learned counsel for the petitioners has relied upon the judgment of Hon'ble Supreme Court of India in the case of Nandakumar and another Versus State of Kerala and others, AIR 2018 SC 2254 and judgment of this Court in CWP No. 31834 of 2019 titled as **Megha and another Versus State of Haryana and others**, decided on 04.11.2019.

It has been stated by the learned counsel for the petitioners that petitioner No. 1 was earlier married but the whereabouts of her husband are not known for the last 12 years. Petitioner No. 2 is unmarried. The petitioners are in liv in relationship and they are apprehending threat and danger to their life and liberty at the instance of respondents No. 3 to 5 who are sons of petitioner No. 1 from her husband whose whereabouts are not known.

It has been stated that a representation dated 28.08.2020

(Annexure P-3) has already been submitted to respondent No. 2.

Notice of motion to official respondents only.

Mr. Randhir Singh Thind, DAG, Punjab, accepts notice on behalf of the official respondents-State. Copy of paper book be supplied to him during the course of day through e-mail.

Without dilating further, suffice it to say that the court is primarily concerned with the right of the petitioners to protect their lives and liberty against any perceived threat at the instance of the third party as such right has been guaranteed to them under Article 21 of Constitution of India.

Without making further observations on the merits or legality and validity of the relationship, the petition is disposed of with a direction to respondent No.2 to look into the grievance of the petitioners as projected through the representation dated 28.08.2020 (Annexure P-3) in accordance with law and furthermore, take remedial action, if the apprehension of danger is real and genuine.

This order is not to be construed as an opinion with regard to the legality and validity of relationship or with regard to civil or criminal proceedings.

04.09.2020

Rajeev (rvs)

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No