

CRWP No.7720 of 2020

Date of Decision : 28.09.2020

Jyoti and another

...Petitioners

Versus

State of Punjab and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Gurpal Singh Sandhu, Advocate for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.
2. Prayer in the Criminal Writ Petition under Articles 226/227 of the Constitution of India is for the issuance of a writ in the nature of Mandamus for directing respondent Nos.2 and 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.4 to 9.
3. Learned counsel for the petitioner contends that the petitioners belong to the Scheduled Caste, date of birth of petitioner No.1 as per Aadhaar Card (Annexure P-1) is 10.05.2000, whereas the year of birth of petitioner No.2 as per Aadhaar Card (Annexure P-2) is 2002.
4. Learned counsel contends that petitioner No.1 was married to respondent No.4 but on account of harassment and torture by respondent Nos.4 to 9 petitioner No.1 left her matrimonial home along with her child but her parents refused to give shelter to her and her child whereupon petitioner No.2, gave her economic, as well as mental support to her as well as her child.
5. Learned counsel contends that in the circumstances, parents of petitioner No.1, besides respondent No.4 are inimical towards the petitioners,

as a result of which the petitioners apprehend harm to their life and liberty / of being done to death in case they are not provided protection.

6. Learned counsel states that on account of apprehension of harm to their life and liberty / of being done to death, the petitioners are in hiding in the absence of decision having been taken and security provided to them by respondent No.2 on their representation (Annexure P-3) dated 24.08.2020. Learned counsel contends that in the circumstances, the petitioners would be satisfied, if the criminal writ petition is disposed of by directing respondent No.2 to consider and decide the representation (Annexure P-3) dated 24.08.2020 and to provide protection of life and liberty to the petitioners, in a time bound manner.

7. Notice of motion to respondent No.2 only.

8. Mr. V.G. Jauhar, Sr. DAG, Punjab, accepts notice on behalf of respondent No.2 and states that he has no objection to the limited prayer of learned counsel for the petitioners.

9. Accordingly, without commenting upon the validity of the relationship of the petitioners or the documents attached to the writ petition, the criminal writ petition is ***disposed of*** by directing respondent No.2 to consider and decide representation (Annexure P-3) dated 24.08.2020, in accordance with law, after taking into account all aspects of the matter, as expeditiously as possible and take such action in respect thereto including providing protection to the life and liberty of the petitioners on assessment of threat perception to the petitioners at the hands of respondent Nos.4 to 9, in accordance with law. However, it is made clear that this order shall not bar

with law.

10. Copy of this order be forwarded to respondent No.2, i.e. Senior Superintendent of Police, Sri Muktsar Sahib to enable appropriate action to be taken in the matter forthwith.

(B.S. Walia)
Judge

September 28, 2020
'Rajneesh-Amit'

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