

CRWP No.10508 of 2020
Date of Decision : 16.12.2020

Amarpreet Kaur ...Petitioners

Versus

State of Punjab and othersRespondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr.Vikram Preet Arora, Advocate for the petitioner.
*****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 Article 226 of the Constitution of India is for directing respondent Nos.2 & 3 to protect the life and liberty of the petitioner at the hands of respondent Nos.4 to 7, as also to decide representation (Annexure P-1) dated 17.10.2020.

3. Learned counsel contends that respondent No.4 obtained an ex parte divorce from the petitioner on 14.10.2019, by keeping her in the dark of the proceedings by playing fraud on her and even thereafter continued cohabiting with the petitioner posing to be her husband for a number of months, and the petitioner immediately on coming to know about the fraud played on her, submitted representation (Annexure P-1) dated 17.10.2020 to respondent No.2 i.e.Senior Superintendent of Police, Rupnagar (Ropar), for protecting her life and liberty at the hands of respondent Nos.4 to 7, as also for

of having cohabited with her by posing to be her husband even after obtaining divorce from her but no decision has been taken on the aforementioned representation till date.

4. Learned Counsel states that in the circumstances, the petitioner would be satisfied, if the criminal writ petition is disposed of by directing respondent No.2 i.e. Senior Superintendent of Police, Rupnagar (Ropar), to consider and decide representation (Annexure P-1) dated 17.10.2020, after taking into account all aspects of the matter and thereafter take such action in respect thereto, as may be warranted in accordance with law.

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

6. Ms. Monika Jalota, learned DAG, Punjab, accepts notice on behalf of respondent No.2 and after perusal of the advance copy of the petition states that she has no objection to the limited prayer made by learned counsel for the petitioner.

7. Accordingly, without commenting upon the merits of the controversy, the criminal writ petition is ***disposed of*** by directing respondent No.2 i.e. Senior Superintendent of Police, Rupnagar (Ropar), to consider and decide representation, Annexure P/1 dated 17.10.2020 submitted by the petitioner, after taking into account all aspects of the matter, as expeditiously as possible and thereafter take such action in respect thereto in accordance with law as may be warranted in the facts and circumstances of the case. However, nothing stated hereinabove, shall be taken to be an expression of opinion on the merits of the case.

(B.S. Walia)
Judge

December 16, 2020

'Rajneesh-Amit'