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

CRWP-898-2021

Date of decision : 17.08.2021

Sonia Kakkar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Jasneet Mehra, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. H.K. Brinda, Advocate for respondent No.4.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

The present Criminal Writ Petition has been filed by the petitioners under Article 226 of the Constitution of India for issuance of directions to respondent Nos.2 and 3 to protect their life and liberty.

Learned counsel for the petitioners has submitted that respondent No.4 is husband of petitioner No.1 and they are living separately. The only prayer of the petitioners is that their life and liberty may be protected as they have an apprehension with respect to their life and liberty from respondent No.4.

On the other hand, learned counsel for respondent No.4 has

pointed out that in representation dated 16.11.2020 (Annexure P-3), prayer has been made to register the criminal case against respondent No.4. Similarly, in the representation dated 12.01.2021 (Annexure P-4), it has been pointed out that petitioner No.1 had sought legal action against respondent No.4. and protection of life and liberty from the local police.

Learned counsel for respondent No.4 has stated that he would oppose any prayer with respect to direction of registration of any criminal case against respondent No.4. Moreover, it has been submitted that he is not going to harm the petitioners and it is only the petitioners' apprehension.

Learned counsel for the petitioners has stated that they only seek protection and for the said purpose, would file a fresh representation with the limited prayer of seeking protection to respondent No.2. He has further prayed that in case, the said representation is filed, then respondent No.2 be directed to look into it and takes appropriate action.

Learned counsel for the State as well as respondent No.4 have no objection in case the present petitioners move representation with a limited prayer for seeking protection and further have no objection in case respondent No.2 is directed to consider the same and takes appropriate action in accordance with law.

Accordingly, the present Criminal Writ Petition is disposed of by granting liberty to the petitioners to move a representation to respondent No.2 with a limited prayer for protection of their life and liberty and in case such representation is moved, then respondent No.2 will look into it and take action in accordance with law.

It is, however, clarified that this Court has not gone into the

merits of the allegations made by the petitioners and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any other case.

Nothing stated above shall be construed as an expression of opinion on the merits of the case.

17.08.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No