

CRWP-1334-2020

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

CRWP-1334-2020.
Date of Decision:-15.09.2021.

Sonia and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sudesh Kumar, Advocate for the petitioners.

Mr. Manish Dadwal, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to protect the life and liberty of the petitioners.

On 07.02.2020, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“In the instant criminal writ petition under Article 226 of Constitution of India, prayer has been made for issuance of a writ in the nature of Mandamus directing respondents No. 1 to 3, to protect the lives and liberty of the petitioners , at the hands of respondents No. 4 to 7.

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Notice of motion for 17.03.2020

On the asking of Court, Mr. Surinder Paul, DAG, Haryana, accepts notice on behalf of respondents No. 1 to 3.

Learned counsel for the petitioners is directed to supply requisite number of copies of paper-book to learned State counsel during the course of the day, failing which this petition would entail dismissal for want of prosecution.

Respondents No. 4 to 7 be served through ordinary process, registered post and dasti as well, on furnishing processfee, requisite number of copies of paper-book, registered covers and incidental expenses, if any, within a period of two weeks' from today.

In the meanwhile, respondent No. 2-Superintendent of Police, Jind, is directed to look into the matter and find out the existence of alleged threat perception to the lives and liberty of the petitioners. Respondent No. 2 shall also verify the antecedents of petitioners and residential address given by them and submit report on or before the date fixed.

In case of non-compliance of this order in its letter and spirit, this criminal writ petition would entail dismissal for want of prosecution.”

Learned State counsel has submitted that as per the reply of the State, which is taken on record, it has come out that the statements of the petitioners have been recorded and they are not apprehending any danger to their life and liberty.

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In view of the above-said reply, the present petition is disposed of as infructuous.

However, liberty is granted to the petitioners to move a representation to respondent No.2-Superintendent of Police, Jind, in case they have any apprehension to their lives and liberty in future and respondent No.2 is directed to look into the matter and take appropriate action 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, if any, moved by the petitioners with a limited aspect aforesaid.

In view of what has been observed above, the present petition is disposed of in the abovesaid terms.

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

(VIKAS BAHL)
JUDGE

September 15, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No