

CRWP-3222-2021

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

CRWP-3222-2021.

Date of Decision:-23.09.2021.

Sukhjeet Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rishu Garg, Advocate for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Articles 226/227 of the Constitution of India for issuance of direction to respondent Nos.2 and 3 to protect the life and liberty of the petitioners.

Reply filed on behalf of respondent Nos.1 to 3 is taken on record.

On 05.04.2021, a Co-ordinate Bench of this Court had issued notice of motion and had also directed respondent No.2-Senior Superintendent of Police, Barnala, to look into the grievances of the petitioners as set out in the petition and expressed in the representation dated 30.03.2021 (Annexure P-4) and take appropriate action for protection of their life and liberty.

Learned State counsel has submitted that in the present case although initially FIR No.151 dated 03.04.2021 under Sections 363, 366 IPC, was registered at Police Station City Barnala, against petitioner No.2 but during investigation, petitioner No.1 was produced in the Court of Additional Chief Judicial Magistrate, Barnala, on 15.04.2021 for recording her statement under Section 164 Cr.P.C., wherein, she had stated that she had gone with petitioner

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No.2 with her own free will and had solemnized marriage with him. It has been stated in the reply that cancellation report has already been filed in the said case. Learned State counsel has also submitted that the petitioners are now residing happily as husband and wife and have also made a statement that they do not require any protection for the time being.

In view of the above-said statement, the present petition has become infructuous and is disposed of as such.

However, liberty is granted to the petitioners to move a representation to respondent No.2-The Senior Superintendent of Police, Barnala, in case they have any apprehension to their life and liberty in future and respondent No.2 is directed to look into the matter and after seeing threat perception, take appropriate 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, if any, moved by the petitioners with the limited aforesaid aspect.

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 23, 2021.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No