

CRWP-3996-2021

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(215)

CRWP-3996-2021.

Date of Decision:-06.10.2021.

Geeta and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: None for the petitioners.

Mr. Manish Dadwal, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* for directing the official respondents to protect the life and liberty of the petitioners.

On 27.04.2021, a Co-ordinate Bench of this Court had directed the learned State counsel to verify as to whether the representation dated 22.04.2021 (Annexure P-5) was actually received by the office of respondent No.2 or not.

Learned State counsel, on instructions from SI Haldiram has submitted that the representation dated 22.04.2021 (Annexure P-5) was not received by the authorities and has further submitted that in fact, the petitioners have never represented to the authorities. Although the above-said facts show that the petitioners have not come to the Court with clean hands but, however, in view of the fact that the prayer in the present

CRWP-3996-2021

petition is for protection of life and liberty of the petitioners, thus, this Court does not wish to proceed any further against the petitioners.

Accordingly, the present criminal writ petition is disposed of with a direction that in case, the petitioners feel that there is any apprehension to their life and liberty in future, they are at liberty to move a representation to respondent No.2-Superintendent of Police, Fatehabad, Haryana, who is directed to consider the threat perception, in case such representation is moved and take appropriate action thereon, 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

October 06, 2021.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No