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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-4487-2021
Date of decision : 19.08.2021

Varjeet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sandeep Gahlawat, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

(Through Video Conferencing)

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VIKAS BAHL, J. (ORAL)

Prayer in the present Criminal Writ Petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus for directing the official respondents to protect the life and liberty of the petitioner.

It is the case of the petitioner that she was married to respondent No.6 and one male child was born to her and thereafter certain incidents took place on account of which she had an apprehension to her life.

On 17.05.2021, when this case came up for hearing before the Coordinate Bench, the Coordinate Bench was pleased to issue notice of motion and had passed the following order:-

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"Case taken up through video conferencing.

Notice of motion.

Mr. J.S. Ghuman, DAG, Punjab, accepts notice on behalf of the respondent-State. Let detailed reply be filed to the petition by the next date of hearing, fixed as 29.06.2021.

Service of private respondents be got effected for the next date of hearing.

In the meanwhile, respondent No.4-Senior Superintendent of Police, District Tarn Taran is directed to ensure that no physical harm is caused to the petitioner at hands of private respondents or persons claiming under them."

Learned counsel for the State has stated that the reply has been filed in the present case and as per the reply, the petitioner is not traceable and whenever she approaches the police, an appropriate action would be taken with respect to the grievance of the petitioner strictly in accordance with law.

Learned counsel for the petitioner has submitted that the petitioner would submit a fresh representation before respondent No.4-Senior Superintendent of Police, Tarn Taran with respect to protection of her life and liberty and she would be satisfied, if direction is given to respondent No.4 to consider the same in accordance with law and to take appropriate action therefrom.

Learned counsel for the State has stated that he has no objection in case the petitioner files a fresh representation with a limited prayer for only protection of her life and liberty before respondent No.4-Senior Superintendent of Police, Tarn Taran and respondent No.4 looks into the same and takes appropriate action in accordance with law.

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After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.4-Senior Superintendent of Police, Tarn Taran, to look into the fresh representation as and when moved by the petitioner with a limited prayer for only protection of her life and liberty and after making necessary enquiries, respondent No.4 shall 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 petitioner and it would be open to respondent No.4 to make his independent enquiry/assessment with regard to the fresh representation with a limited prayer aforesaid.

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

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

19.08.2021 **(VIKAS BAHL)**
Pawan **JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**

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