

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(Proceedings through VC)

116 - LPA-474-2021 (O&M)

Date of Decision: 15.06.2021

Gurdeep Kaur & Anr.

... Appellants

VS.

State of Haryana & Ors.

... Respondents

CORAM: Hon'ble Mr. Justice Augustine George Masih

Hon'ble Mr. Justice Girish Agnihotri

Present: Ms. Sonia G Singh, Advocate for the appellants

Mr. Ankur Mittal, Addl. AG Haryana

Augustine George Masih, J. (Oral)

The present appeal has been filed against the order dated 12.02.2021 passed by learned Single Judge in CRWP-1433-2021 which was preferred by the appellants seeking protection of their life and liberty at the hands of respondents No.4 to 6 for which they have put forth a representation highlighting the said aspect to the Superintendent of Police, Jind on 09.02.2021 (P5).

(2) Learned counsel for the appellants asserts that the appellants are not wanting protection of their life and liberty with regard to the FIR which is registered at the behest of respondent No.4 Kulwant Singh s/o Ajeet (father of appellant No.1 Gurdeep Kaur). Their primary grievance is that their life and liberty be protected as they have apprehensions and feel threatened at the hands of respondents No.4 to 6. The assertion is also being made that appellant No.1 is major and in support thereof, the school leaving certificate dated 07.02.2020 (P1) stands appended.

(3) Notice of motion.

(4) On the asking, Mr. Ankur Mittal, Addl. AG Haryana accepts notice on behalf of respondents No.1 to 3.

(5) Learned counsel for the State has asserted that the present appeal is not maintainable as the appellants are seeking protection 'from law' on registration of FIR against appellant No.2 Sandeep Singh. He, therefore, contends that the present appeal should be dismissed on the ground of being not maintainable and secondly the appellants are not entitled to the relief which they have claimed.

(6) Having considered the submissions made by learned counsel for the parties and keeping in view the fact that counsel for the appellants has categorically asserted that the appellants are not seeking any protection with regard to the FIR which has been registered against appellant No.2, their apprehension is only with regard to their life and liberty being threatened at the hands of respondents No.4 to 6 and at least from these private persons, they have a right to protection of their life and liberty which we are inclined to accept.

(7) In the light of the above, we direct the Superintendent of Police, Jind – respondent No.2 to look into the representation dated 09.02.2021 (P5) and in case some substance is found therein, the life and liberty of the appellants be protected from any harm being caused at the hands of respondents No.4 to 6.

(8) It is made clear that this Court has not gone into the merits of the case nor passing of this order, in any manner, should be assumed or taken as a protection for taking action in accordance with law in FIR No.22

dated 20/22.01.2021 registered under Sections 363/366-A of IPC, 1860 at Police Station Safidon, District Jind.

(9) Disposed of.

(Augustine George Masih)
Judge

15.06.2021
Vvishal

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?	Yes
2. Whether reportable?	No