

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No.5051 of 2021

DATE OF DECISION: 01.07.2021

Neeraj Kumar and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

(Heard through Video-Conferencing)

CORAM:- HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Gaurav Gupta, Advocate
for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

MEENAKSHI I. MEHTA, J. (ORAL)

Both the petitioners have joined hands to prefer this petition for seeking the relief of the issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 6 because they (petitioners) are living in relationship. It has also been mentioned in this petition that a representation (Annexure P-4) has already been moved to respondent No.2 in this regard.

Heard.

It is worthwhile to mention here that as per the Aadhar Card of petitioner No.2-Anu (Annexure P-3), her date of birth is 01.01.2004 meaning thereby that she has not yet attained the age of majority.

Learned State counsel, on instructions from ASI Rakesh Kumar of Police Station Mohali, apprises the Court that no criminal case has been

registered against petitioner No.1 at District Mohali (Punjab) till date.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to take appropriate action on the said representation of the petitioners, i.e. Annexure P-4.

Learned State counsel has no objection for the same.

Keeping in view the intent of the fundamental right enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens and without commenting or expressing any opinion on the validity and legality of the relationship between the petitioners, respondent No.2-Senior Superintendent of Police, District SAS Nagar (Mohali), Punjab is hereby directed to look into the said representation (Annexure P-4) and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be a shield to the petitioners against any proceedings already initiated or intended/contemplated to be initiated by the competent authority/person on account of their said relationship and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

July 01, 2021

pooja

(MEENAKSHI I. MEHTA)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No