

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.118

CRWP No.5852 of 2021

Date of Decision: 28th June, 2021.

Tamanna & Another

...Petitioners

Versus

State of Haryana & Others

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. Lajpat Rai Sharma Advocate,
for the petitioners.

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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 8 because they (petitioners) are living in relationship against the wishes of these respondents and they have averred that petitioner No.1 was married to respondent No.4 and she was being harassed and tortured by him and therefore, she left his company. It has also been mentioned in this petition that a representation (Annexure P-3) has already been moved to respondent No.2 in this regard.

Mr. Apoorv Garg, learned Deputy Advocate General,

Haryana, has joined the proceedings on behalf of respondents No.1 to 3 in this case in pursuance of the copies of this petition having been sent to the respondent-State in advance.

Heard.

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-3.

Learned State counsel has no objection for the same.

It is worthwhile to mention here that as mentioned in para No.8 of this petition, petitioner No.1, on being harassed by respondent No.4 and her own parents and other family members, joined the company of petitioner No.2.

However, 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-Superintendent of Police, Kaitthal, is hereby directed to look into the said representation (Annexure P-3) 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.

(MEENAKSHI I. MEHTA)
JUDGE

28.06.2021.
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Whether speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No