

CRWP-6104-2021

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRWP-6104-2021.

Date of Decision:-01.10.2021.

Sukhjit Kaur

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sameer, Advocate for
Mr. Padamkant Dwivedi, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Vikrant Guleria, Advocate for
Respondent Nos.4, 5, 8, 9 and 10.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

In this criminal writ petition filed under Article 226 of the Constitution of India as well as in the representation dated 18.03.2021 (Anexure P-3), primarily two reliefs have been sought by the petitioner. The first prayer made by the petitioner is for taking action against the private respondents.

Faced with the dictum of law laid down by Hon'ble Supreme Court of India in case titled **Sakiri Vasu Vs. State of U.P. and others**, reported as ***2008 (2) SCC 409*** and in **M. Subramaniam and another Vs. S. Janaki and another**, ***Criminal Appeal No.102 of 2011***, decided on

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20.03.2020, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition as well as the representation (Annexure P-3) with liberty to pursue alternative remedies, in accordance with law.

Accordingly, the present petition as well as the representation (Annexure P-3) stands dismissed as withdrawn with the aforesaid liberty, insofar as the first prayer is concerned.

The second prayer which has been made in the petition is for protecting the life and liberty of the petitioner and her minor children.

Learned counsel for the petitioner has referred to the petition as well as the representation (Annexure P-3) to state that there are certain incidents which have taken place, on account of which there is apprehension of life and liberty to the petitioner and her minor children. Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case respondent No.2-Senior Superintendent of Police, District Rupnagar, is directed to look into the representation (Annexure P-3) on the limited aspect of protection of life and liberty and take appropriate action thereon.

Learned State counsel, on the other hand, has opposed this petition but, however, has stated that State has no objection in case, respondent No.2 looks into the representation (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner and her children and after seeing the threat perception, takes appropriate action, in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.2 to look into

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the representation dated 18.03.2021 (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner and her children and after making necessary enquiries, respondent No.2 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.2 to make his independent enquiry/assessment with regard to the representation dated 18.03.2021 (Annexure P-3) with a limited prayer aforesaid.

In view of what has been observed above, the present criminal writ petition is disposed of in the above-said terms.

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

(VIKAS BAHL)
JUDGE

October 01, 2021.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No