

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

CRWP No.6043 of 2021

Date of Decision:-5th July, 2021.

Mintu Sah and another

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

(Heard through Video-Conferencing)

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

Present:- Mr. Sandeep Arora, Advocate
 for the petitioners.

MEENAKSHI I. MEHTA, J.(Oral)

By way of the instant petition, both the petitioners seek the indulgence of this Court for 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 and 5 because they (petitioners) are living in relationship. It has also been mentioned in this petition that a representation (Annexure P-6) has already been moved to respondent No.2 in this regard.

Notice of motion to respondents No.1 to 3 only.

Ms. Samina Dhir, learned Deputy Advocate General, Punjab, who 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, accepts the notice on behalf of these respondents.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and take appropriate action on the said representation of the petitioners, i.e. Annexure P-6.

Learned State counsel has no objection for the same.

It is worth-while to mention here that in Annexure P-1, i.e. the copy of Aadhar Card of petitioner No.1 Mintu Sah, his date of birth has been mentioned as 03.05.2002 meaning thereby that he is just 19 years old.

Be that as it may, 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 as well as the above-discussed limited prayer as made by learned counsel for the petitioners and without commenting or expressing any opinion on the legality and validity of the relationship between the petitioners, respondent No.2-Commissioner of Police, Jalandhar, is hereby directed to look into the said representation of the petitioners (Annexure P-6) 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 afore-said relationship and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

July 05, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*