

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.111

CRWP No.6323 of 2021

Date of Decision: 13th July, 2021.

Minakshi & Another

...Petitioners

Versus

State of Haryana & Others

...Respondents

(Heard through Video-Conferencing)

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

Present: Ms. Manpreet Kaur Advocate,
for the petitioners.

Mr. S.S.Pannu, DAG, Haryana.

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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 direction to respondents No.1 to 4 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.5 to 8 because they (petitioners) are living in relationship. 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. Durga Dutt Sharma, Advocate, has joined the proceedings on behalf of respondents No.5 to 8 and has also sent his memo of appearance through “WhatsApp Group for Video-Conferencing” of this Court and the same has been placed on the record.

Heard.

Learned counsel for the petitioners restricts her prayer to the issuance of a direction to respondent No.2 to look into and 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 per the copy of the Aadhar Card of petitioner No.1-Minakshi (Annexure P-1), her date of birth is 30.07.2003 meaning thereby that she has not yet attained the age of 18 years. Moreover, learned counsel for respondents No.5 to 8 also apprises the Court that a formal FIR bearing No.0237 dated 02.07.2021 has already been registered at Police Station Kunjpura, District Karnal, under Section 346 IPC in respect of the present matter.

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 also the factum of the registration of the said FIR and without commenting or expressing any opinion on the merits of the case in hand, respondent No.2-Superintendent of Police, Karnal, is hereby directed to look into the said representation of the petitioners (Annexure P-3) only qua the threat perception to the lives of the petitioners and if it is found that the petitioners genuinely deserve the protection of their lives, then to take appropriate action in accordance with law.

It is further clarified that this order shall not amount to be a

hindrance to/in the investigation of the afore-mentioned criminal case arising out of the said FIR and it shall also not be construed to be a shield to the petitioners against any other action taken or intended/contemplated to be taken against them by any competent authority/person on account of the afore-narrated facts and circumstances and permissible under the relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

13.07.2021.
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Whether speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No