

CRWP-6698-2021.

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

CRWP-6698-2021.

Date of Decision:-14.09.2021.

Arti Devi and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: None for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.1 to 3 to protect the life and liberty of the petitioners.

On 22.07.2021, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Case taken up through video conferencing.

Learned counsel for the petitioners states that petitioner No.1 – Arti Devi, aged about 24 years has got married with petitioner No.2 – Jeevan Singh, aged about 37 years. It is stated that first husband of petitioner No.1 -Arti Devi had expired on 19.3.2021. He further states that the

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petitioners have performed their marriage against wishes of respondents No.4 and 5, who are mother and brother, respectively of petitioner No.1 and respondents No.6 and 7, who are mother of deceased husband and brother of deceased husband of petitioner No.1, respectively, who are threatening to interfere in their marital life, as such to seek protection in that regard, the petitioners have approached this Court by way of filing the present petition.

Notice of motion.

Mr.J.S. Ghuman, DAG, Punjab, accepts notice on behalf of the respondents No.1 to 3. He seeks time to file detailed reply to the petition.

Adjourned to 14.9.2021.

In the meanwhile, respondent No.2 – Senior Superintendent of Police, Pathankot is directed to assess the threat perception to the petitioners and if he finds that some effective action in the matter is required to be taken, then the needful be done in accordance with law to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of private respondents No.4 to 7 or the persons claiming under them.”

Learned State counsel, on instructions from ASI Narinder Singh, has submitted that the petitioners have stated that they do not have any threat perception at present and they do not require any protection.

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Keeping in view the above facts and circumstances, the present petition is disposed of as infructuous.

However, liberty is granted to the petitioners to move a representation to respondent No.2-The Senior Superintendent of Police, Pathankot, District Pathankot, Punjab, in case they have any apprehension to their lives and liberty in future and respondent No.2 is directed to look into the matter and take appropriate action accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioners and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation, if any, moved by the petitioners with a limited aspect aforesaid.

In view of what has been observed above, the present petition is disposed of in the abovesaid terms.

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

(VIKAS BAHL)
JUDGE

September 14, 2021.

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Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No