

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

Sr.No.116

CRWP No.7008 of 2021

Date of Decision: 28th July, 2021

Pinky Kaur & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. Karandeep Singh , Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of this petition, both the petitioners have approached this Court for seeking the relief of the issuance of a writ in the nature of mandamus directing respondents No.1 to 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. 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.

Ms. Samina Dhir, learned Deputy Advocate General, Punjab, 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 look into and take appropriate action on the said representation of the petitioners, i.e. Annexure P-3.

Learned State counsel has no objection for the same.

However, it is pertinent to mention here that in the copy of the Aadhar Card (Annexure P-1) of petitioner No.1-Pinky Kaur, only the year of her birth has been mentioned as '2003' without specifically mentioning the date and the month and hence, it cannot be ascertained as to whether she has attained the age of majority, i.e 18 years or not and moreover, throughout in the petition, the date, month or year of the petitioners having started living in relationship has not been disclosed.

Be that 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 and the above-discussed limited prayer as made by learned counsel for the petitioners and also without commenting or expressing any opinion on the validity and legality of the relationship between the petitioners, respondent No.2-Commissioner of Police, Ludhiana, is hereby directed to look into the said representation of the petitioners (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 action already initiated or

intended/contemplated to be initiated against them by any 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

28.07.2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No