

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.114

CRWP No.7421 of 2021

Date of Decision: 09th August, 2021.

Jaswinder Kaur & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. Prateek Pandit, Advocate, for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of this petition, the petitioners have approached this Court for seeking the relief of the issuance of a writ in the nature of mandamus directing respondents No. 2 & 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 6 who happen to be the husband and parents-in-law of petitioner No.1 respectively, while averring that respondent No.4 is a drug addict and he used to maltreat her and hence, she left her matrimonial home and is, presently, living in relationship with petitioner No.2. It has also been mentioned in this petition that a representation (Annexure P-2) has already been moved to respondent No.2 in this regard.

Mr. Harpreet Singh Multani, learned Assistant 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 take appropriate action on the said representation of the petitioners, i.e Annexure P-2.

Learned counsel for the State has no objection for the same.

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 made by learned counsel for the petitioners and without commenting or expressing any opinion on the validity and legality of the relationship between the petitioners, respondent No.2-Senior Superintendent of Police, Kapurthala, is hereby directed to look into the said representation of the petitioners (Annexure P-2) 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 against them on account of their said relationship and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

09.08.2021.
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Whether speaking/reasoned?	Yes
Whether Reportable?	No