

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

CRWP No.8051 of 2021

Date of Decision:-25.08.2021

Navjot Kaur and another

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

(Heard through Video-Conferencing)

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

Present:- Mr. Chander Shekhar Singhal, 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 to 4 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.5 to 10 because they (petitioners) are living in relationship. It has also been mentioned in this petition that a representation (Annexure P-4) has already been moved to respondents No.2 to 4 in this regard.

Ms. Samina Dhir, learned Deputy Advocate General, Punjab, has joined the proceedings on behalf of respondents No.1 to 4 in this case in pursuance of the copies of this petition having been sent to the respondent-State in advance.

Heard.

It is worth-while to mention here that in the copies of the Character-Certificate (Annexure P-1) and the Birth-Certificate (Annexure P-2) of petitioner No.1 Navjot Kaur, her date of birth is recorded as 13.09.2003 meaning thereby that she has not yet attained the age of 18 years.

Moreover, learned State counsel apprises this Court that a criminal case has already been registered against petitioner No.2 Daler Singh @ Vijay, at Police Station Handesra, District Mohali, vide FIR No.50 dated 17.08.2021 under Sections 363 and 366-A IPC, at the instance of respondent No.5.

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 (Annexure P-4) of the petitioners.

Learned State counsel 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 and also the factum of the registration of the above-said FIR 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-Senior Superintendent of Police, SAS Nagar, Mohali, is hereby directed to look into the said representation (Annexure P-4) of the petitioners only to the extent of their (petitioners') threat perception qua their lives 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 shall also not be construed to be a shield to the petitioners against any other action/proceeding already initiated or intended/contemplated to be initiated against them by the competent authority/person on account of their said relationship and permissible under the relevant provisions of law.

This petition stands disposed of accordingly.

August 25, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*