

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

115 (PROCEEDINGS THROUGH V.C.)

LPA-746-2021

Date of decision: 27.08.2021

AFSARA KHATOON ALIAS ARCHANA & ANR

...APPELLANTS

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

**Present: Mr. Baljeet Beniwal, Advocate,
and Mr. Ajay Dahiya, Advocate,
for the appellants.**

**Mr. Raman Sharma, Addl. A.G. Haryana,
for the State.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this appeal is to the order dated 16.08.2021 passed by the learned Single Judge, wherein a petition i.e. CRWP No. 7721 of 2021 for protection of the life and liberty, as sought for by the petitioners (appellants herein), at the hands of respondents No. 4 to 6 (private respondents), had been dismissed.

Learned counsel for the appellants asserts that the appellants are still facing threats at the hands of the private respondents. It is asserted that there is a grave danger to their life and liberty and, therefore, the representation dated 05.08.2021 (Annexure P-5), which has been submitted by the appellants to the Superintendent of Police, Palwal-respondent No. 2, may be ordered to be looked into and decided. It has further been stated that

the petition, which has been preferred by the appellants, has been rejected merely on the ground that a complaint has been preferred against petitioner No. 2-Krishan Kumar (appellant No. 2 herein) by Mohd. Ali Ahmad, who is father of appellant No. 1. Counsel for the appellants contends that the appellants are not seeking any protection against the action to be initiated by any of the private respondents in accordance with law. However, they only apprehend threat to their life and liberty which is in danger at the hands of private respondents.

Keeping in view the fact that the life and liberty of every citizen, if it is in danger, need to be protected in the light of the provisions of Article 21 of the Constitution of India, the present appeal is allowed with a direction to the Superintendent of Police, Palwal-respondent No. 2 to look into the representation dated 05.08.2021 (Annexure P-5) submitted by the appellants and in case some substance is found therein, take appropriate steps in accordance with law.

It is made clear that the interference by this Court in the present appeal, in any manner, shall not be construed to restrain the machinery of the Investigating Agency with regard to any enquiry/investigation which may be going on against the appellants in accordance with law.

(AUGUSTINE GEORGE MASIH)
JUDGE

August 27, 2021

pj

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No