

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

Sr.No.119

CRWP No.8290 of 2021

Date of Decision: 02.09.2021

Palwinder 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. Kulwinder Singh Dhillon, 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 and 5, who happen to be the husband and brother of petitioner No.1 respectively and have averred that due to her maltreatment and harassment by respondent No.4, petitioner No.1 was constrained to leave her matrimonial home and presently, she is residing with petitioner No.2 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.

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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-3.

Learned State counsel has no objection for the same.

Keeping in view the intent of the fundamental right as 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 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, Amritsar, is hereby directed to look into the afore-said representation (Annexure P-3) of the petitioners and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

However, it is clarified that this order shall not be construed to be a shield to the petitioners against any action/proceedings already initiated or intended/contemplated to be initiated against them by the competent authority/person on account of their afore-said relationship and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

02.09.2021
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Whether speaking/reasoned

Yes

Whether Reportable

No