

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.113

CRWP No.8505 of 2021

Date of Decision: 08th September, 2021.

Parminder Singh & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

(Heard through Video-Conferencing)

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

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

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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 and 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 together. 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.

It is worth-while to mention here that as per the copy of the Aadhar Card (Annexure P-2) of petitioner No.2, she was born in the year

2004 and the date and month of her birth are not recorded therein.

However, learned State counsel apprises the Court that a criminal case has already been registered against petitioner No.1, at Police Station Badhni Kalan, District Moga, vide FIR No.121 dated 03.09.2021 under Sections 363, 366-A IPC.

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-3) 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, Moga, is hereby directed to look into the said representation (Annexure P-3) 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.

(MEENAKSHI I. MEHTA)
JUDGE

08.09.2021.
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Whether speaking/reasoned?	Yes
Whether Reportable?	No