

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

(PROCEEDINGS THROUGH V.C.)

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LPA No.827 of 2021 in
CRWP No.8692 of 2021

Date of decision : 16.09.2021

Parminder Kaur and another

Appellants

V/S

State of Punjab and others

Respondents

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

Present: Mr. Gaurav Kalsi, Advocate
for the appellants.

Mr. S.P.S. Tinna, Addl. A.G., Punjab
for the respondent-State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

The present appeal has been preferred against order dated 13.09.2021 passed by the learned Single Judge whereby Criminal Writ Petition preferred by the appellants for protection of their life and liberty at the hands of private respondents No.4 to 6 has been declined by the learned Single Judge on the ground that the petitioners apprehend that the private respondents would register some criminal case against them, therefore, on that basis the appellants submitted representation dated 07.09.2021 (Annexure P-5) to the Senior Superintendent of Police, Ludhiana Rural which relief cannot be granted.

Counsel for the appellants states that the said aspect with regard to there being a criminal case registered against the appellants does not find mention in the representation dated 07.09.2021 (Annexure P-5) rather the simple prayer in the representation was limited to the extent of there being threat to life and liberty of the appellants at the hands of private respondents. His contention is that the appellants are restricting their relief in the present appeal to the limited extent of protection of their life and liberty, at the hands of private

respondents and in case, some criminal case has or will be registered against them, the law may take its own course. Learned Counsel for the appellants, therefore, prays that the present appeal be entertained to that limited extent.

We have considered the submissions made by learned Counsel for the appellants and have gone through the impugned judgment.

This Court had while dealing with a similar issue in *LPA No.769 of 2021 titled as 'Ishrat Bano and another Vs. State of Punjab and others'* decided on 03.09.2021 observed as follows :-

“The aspect which we are considering and dealing with is with regard to the threat to the life and liberty to the appellants as has been asserted by them. No doubt, in case a criminal case is registered against any of the parties, the law should take its own course, however, the life and liberty of any person who has approached the Court with such a grievance need to be taken care of and the protection be provided as permissible in law. No person can be permitted or allowed to take law in his hands and therefore, keeping in view the said aspect, we dispose of the present appeal by observing that the Senior Superintendent of Police, Maler Kotla, shall take into consideration the representation dated 17.08.2021 (Annexure P-5) submitted by the appellants and if some substance is found therein, take appropriate steps in accordance with law to ensure that the life and liberty is not jeopardized of the appellants at the hands of the private respondents. This direction shall not be construed in any manner to restrain the official respondents to proceed against the appellants in case there is some criminal case registered against them. The law shall take its own course and it shall be open to the authorities/investigating agency to proceed against the appellants, if required in law and in accordance thereto.”

In the light of the above, we do not intend to go into the merits of the case nor would like to comment upon the same but would only state that the present appeal is disposed of with directions to the Superintendent of Police, Ludhiana Rural-respondent No.2 to look into the representation dated 07.09.2021 (Annexure P-5) of the appellants and in case some substance is found therein, take appropriate steps in accordance with law so that life and liberty of the appellants is not jeopardized except in due course of law.

We make it clear that in case any of the appellants is wanted in a criminal case, the law shall take its own course and this order of ours shall not be taken to be restraining the investigating agency to proceed against the appellants in accordance with law.

The present appeal is disposed of accordingly.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

16.09.2021
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**(ASHOK KUMAR VERMA)
JUDGE**

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No