

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRWP-8992-2021

Date of decision : 20.09.2021

Mandeep Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms.Mehar Nagpal, Advocate for
Mr.Sidhant Vermani, Advocate
for the petitioner.

Mr.V.G.Jauhar, Sr.DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is a criminal writ petition under Article 226 of the Constitution of India praying for issuance of a direction to the official respondent nos.2 and 3 to protect life and liberty of the petitioner and her minor son.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 31.08.2021 (Annexure P-1) to respondent no.2-Commissioner of Police, Amritsar in which the petitioner has highlighted the fact that petitioner is widow lady of 24 years and her husband had died on 10.02.2020 and the private respondents have been pressurizing to transfer her property in their name and that on account of her not doing so, she has an apprehension to her life and liberty.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case respondent no.2-Commissioner of Police is directed to look into the representation dated 31.08.2021 (Annexure P-1) and after considering the threat perception to the petitioner and her minor son, take

appropriate action in accordance with law.

Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Mr. V.G. Jauhar, Sr. DAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 3 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Commissioner of Police, looks into the representation dated 31.08.2021 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioner and her minor son and takes appropriate action in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.2-Commissioner of Police, to look into the representation dated 31.08.2021 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioner and her minor son and after making necessary enquiries, respondent No.2 shall take appropriate action in accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioner and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation with a limited prayer aforesaid.

In view of what has been observed above, the present Criminal Writ petition is disposed of in the abovesaid terms.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.

(VIKAS BAHL)
JUDGE

September 20, 2021

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No