

CRWP-8858-2020

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

CRWP-8858-2020.

Date of Decision:-23.09.2021.

Sarabjit Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: None for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Article 226 of the Constitution of India for issuance of direction to respondent Nos.2 and 3 to protect the life and liberty of the petitioners.

On 29.10.2020, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Notice of motion.

Mr. V.G. Jauhar, Sr. DAG, Punjab accepts notice on behalf of respondent nos.1 to 3 and seeks time to have instructions in the matter.

Posted on 20.1.2021.

In the meanwhile, respondent no.3, S.H.O. Police station Kotwali Kapurthala, District Kapurthala is directed to protect the life and liberty of petitioners in accordance with law.

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However, this order may not be constructed as an expression of opinion on the legality or validity of the live-in relationship of petitioner nos.2 and 3.”

Learned State counsel has submitted that the petitioners have given statement on 20.01.2021 to the effect that they do not have any apprehension to their life and liberty at present.

In the view of the statement made by the petitioners, the present petition has become infructuous and is disposed of as such.

However, liberty is granted to the petitioners to move a representation to respondent No.2-Senior Superintendent of Police, Kapurthala, in case they have any apprehension to their life and liberty in future and respondent No.2 is directed to look into the matter and after seeing threat perception, 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 petitioners and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation, if any, moved by the petitioners with the limited aforesaid aspect.

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

(VIKAS BAHL)
JUDGE

September 23, 2021.

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Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No