

CRWP-9345-2021

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-9345-2021.
Date of Decision:-30.09.2021.

Sapna

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amritpal Singh Sohal, Advocate for the petitioner.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

In the present criminal writ petition filed under Articles 226/227 of the Constitution of India, primarily two prayers have been made. The first prayer is with respect to taking action against respondent No.4 for having caused injuries to the petitioner. With respect to the said prayer, faced with the dictum of law laid down by Hon'ble Supreme Court of India in case titled **Sakiri Vasu Vs. State of U.P. and others**, reported as **2008 (2) SCC 409** and in **M. Subramaniam and another Vs. S. Janaki and another, Criminal Appeal No.102 of 2011**, decided on 20.03.2020, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition with liberty to pursue alternative remedies, in accordance with law.

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Accordingly, the present petition is dismissed as withdrawn with the aforesaid liberty with respect to the first prayer.

The second prayer in the petition is that the life and liberty of the petitioner be protected and for the said purpose, a representation (Annexure P-3) has been given to respondent No.2 by the petitioner.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case respondent No.2 is directed to look into the representation (Annexure P-3) on the limited aspect of protection of life and liberty and take appropriate action thereon.

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

On advance notice, Mr. Saurav Khurana, 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-The Senior Superintendent of Police, SAS Nagar, Punjab, looks into the representation (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner and after seeing the threat perception, 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 to look into the representation (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner 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

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respondent No.2 to make his independent enquiry/assessment with regard to the representations with a limited prayer aforesaid.

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

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

(VIKAS BAHL)
JUDGE

September 30, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No