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

CRWP-10121-2021
Date of decision : 25.10.2021

Manita Rani

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amandeep Singh Jawandha, Advocate for the petitioner.

Mr. A.K. Kaundal, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.2 to 4 to protect the life and liberty of the petitioner and her family members from the hands of the private respondents.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 09.10.2021 (Annexure P-4) to the various officials including respondent No.3-Senior Superintendent of Police, Patiala, in which the primary prayer made is for the protection of life and liberty of the petitioner. It has been submitted that the Civil Suit had been filed by the petitioner against the private respondents and there is ad

interim stay granted by the Civil Court vide order dated 26.08.2021 (Annexure P-2) and on the violation of the said order, even the contempt petition (Annexure P-3) had been filed.

Learned counsel for the petitioner has submitted that although the issue as to whether the petitioner is owner in possession of the property in dispute or the private respondents, will be decided by the Civil Court but only apprehension which the petitioner has is that the private respondents have a licenced revolver on account of which there is a reasonable apprehension in the mind of the petitioner with respect to her life and liberty.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied if respondent No.3-Senior Superintendent of Police, Patiala is directed to look into representation dated 09.10.2021 (Annexure P-4) on the limited aspect of protection of her life and liberty and after considering the threat perceptions, takes appropriate action in accordance with law.

Notice of motion to respondent Nos.1 to 4 only.

On advance notice, Mr. A.K. Kaundal, DAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 4 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.3-Senior Superintendent of Police, Patiala looks into the representation dated 09.10.2021 (Annexure P-4) with a limited prayer for only protection of life and liberty of the petitioner 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.3-Senior Superintendent of Police, Patiala to look into the representation dated 09.10.2021 (Annexure P-4) with a limited prayer for only protection of life and liberty of the petitioner and after making necessary enquiries and assessing the threat perception, respondent No.3 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.3 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.

25.10.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No