

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

(PROCEEDINGS THROUGH V.C.)

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LPA-1014-2021 (O&M) in
CRWP-9861-2021
Date of decision : 28.10.2021

Rano 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 VERMA**

Present: Mr. Surmeet S. Sandhu, Advocate
for the appellants.

Mr. Pawan Sharda, Sr. DAG, Punjab
for respondents No.1 to 3.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this appeal is to the order dated 14.10.2021 passed by the learned Single Judge in criminal writ petition preferred by the appellants praying for issuance of a writ in the nature of mandamus directing Senior Superintendent of Police, Kapurthala-respondent No.2 and SHO, Police Station Kabirpur, Kapurthala-respondent No.3 to protect the life and liberty of the appellants from the private respondents No.4 to 8 as they assert that there was threat to their life and liberty at their hands. Highlighting this aspect, the appellants have submitted their representation dated 11.10.2021 (Annexure P-5) to the Senior Superintendent of Police, Kapurthala-respondent No.2.

Counsel for the appellants assets that the threat continues as far as the appellants are concerned and they are hiding themselves for their safety. Counsel for the appellants has submitted that the learned Single Judge has not appreciated this aspect and simply proceeded to not accept the factual assertions as made in the representation while passing the impugned order. He, therefore, prays that the appellants would be satisfied at this stage if directions are

issued to the Superintendent of Police, Kapurthala-respondent No.2 and SHO, Police Station Kabirpur, Kapurthala-respondent No.3 to consider the representation (Annexure P-5) and proceed in accordance with law.

Without going into merits of the case or commenting thereon, the present appeal is disposed of with directions to the Superintendent of Police, Kapurthala-respondent No.2 and SHO, Police Station Kabirpur, Kapurthala-respondent No.3 to look into the representation dated 11.10.2021 which has been submitted by the petitioners and if some substance is found therein, appropriate action in accordance with law be taken to ensure that life and liberty of the appellants is not jeopardized at the hands of the private respondents No.4 to 8.

It is, however, clarified that in case there is any criminal case registered against the appellants, this order of ours shall not be construed as an impediment for the law enforcing agency to proceed against the appellants in accordance with law.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

28.10.2021

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**(ASHOK KUMAR VERMA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No