

**110**

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

CRWP-10518-2021

Date of decision : 08.11.2021

Poonam and others

...Petitioners

Versus

Union Territory of Chandigarh and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Ms. R.K. Grewal, Advocate for the petitioners.

Mr. Deepinder Brar, Addl. P.P. UT Chandigarh.

(Through Video Conferencing)

\*\*\*\*

**VIKAS BAHL, J. (ORAL)**

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of an appropriate writ, order or directions to the official respondents to grant police protection to the petitioners for protection of their lives and liberty from the private respondents.

Learned counsel for the petitioners has submitted that petitioner No.1 has given a representation dated 16.10.2021 (Annexure P-1) to respondent No.3-Senior Superintendent of Police, in which it has been detailed that she got married to Santosh Pathak-respondent No.5 on 25.02.2001 and out of the said wedlock, has three children including two females and one male. It has been stated that the said respondent No.5 is a

quarrelsome person and has committed several atrocities against all the petitioners. It has been submitted that the private respondents are wanting to wrongfully take the amount of Rs.4,00,000/- which petitioner No.1 had received after the death of her mother, as her share from the properties of her mother. Various incidents including the incidents dated 03.10.2021 and 11.10.2021, have been mentioned in the said representation.

Learned counsel for the petitioners has stated that the petitioners would be satisfied in case respondent No.3-Senior Superintendent of Police is directed to look into the representation dated 16.10.2021 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioners and takes appropriate action in accordance with law.

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

On advance notice, Mr. Deepinder Brar, Addl. P.P. UT Chandigarh, 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, looks into the representation dated 16.10.2021 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioners 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, to look into the representation dated 16.10.2021 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioners and after making necessary enquiries and assessing the

threat perception to the petitioners, 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 petitioners and it would be open to respondent No.3 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 abovesaid terms.

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

**08.11.2021**

*Pawan*

**(VIKAS BAHL)  
JUDGE**

**Whether speaking/reasoned:-**

**Yes/No**

**Whether reportable:-**

**Yes/No**