

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.109

CRWP No.10759 of 2021

Date of Decision: 12th November, 2021.

Paramjit Kaur & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Prince Sharma Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No. 1 to 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 7 because they (petitioners) are living in relationship. It has also been mentioned in this petition that a representation (Annexure P-3) has already been moved to respondents No.2 & 3 in this regard.

Mr. Sukhbeer Singh, learned Assistant Advocate General, Punjab, has joined the proceedings on behalf of respondents No.1 to 3 in this case in pursuance of the copies of the present petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 only to look into and take appropriate action on the said representation of the petitioners, i.e. Annexure P-3.

Learned State counsel has no objection for the same.

It is worth-while to mention here that in Para No.7 of the petition, it has been averred that petitioner No.1 was earlier married to one Angrej Singh who died on 25.5.2021 and the copy of his death certificate has also been placed on the file as Annexure P-4. It has further been mentioned in the same Para that petitioner No.2 was also married to someone else earlier and their marriage stands dissolved on the basis of 'Panchayati' compromise but however, the fact remains that no document has been annexed with the petition showing the dissolution of the marriage of petitioner No.2 with his wife by way of any such compromise or the order/decreed of the competent Court.

Be that as it may, keeping in view the intent of the fundamental right enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the above-discussed limited prayer made by learned counsel for the petitioners and without commenting or expressing any opinion on the validity and legality of the relationship between the petitioners, respondent No.2-Senior Superintendent of Police, Tarn Taran, is hereby directed to look into the said representation (Annexure P-3) of the petitioners and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be a shield to the petitioners against any proceedings already initiated or intended/contemplated to be initiated by the competent authority/person against them on account of their said relationship and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

12.11.2021.
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Whether speaking/reasoned?	Yes
Whether Reportable?	No