

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 10885 of 2021
Date of Decision: 18.11.2021**

Aarti and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Parvesh Mor, Advocate
for the petitioners.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

(Through video conferencing)

1. The present petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus hence directing respondents No. 2 and 3 to give protection to the life and liberty of the petitioners, and also against any interference in the peaceful life of the petitioners being made at the behest of respondents No. 4 and 5.

2. The learned State Counsel, does not have any objection, to an order being made by this Court to respondents concerned, to look into and decide through a speaking order, representation Annexure P-4.

3. Consequently, this Court directs respondents concerned, to within three weeks hereafter, hence decide Annexure P-4, through a speaking order.

4. However, learned Deputy Advocate General, Haryana, on

instructions meted to him by the investigating officer concerned, makes an intimation to this Court, that the father of co-petitioner No. 1, has lodged an FIR against certain unknown persons, in respect of disappearance of his daughter, namely, one Aarti.

5. Consequently, the afore order is subject to the condition that, upon the investigating officer, discovering credible evidence, with respect to the age of the afore Aarti, and, in case from the birth certificate concerned, it is clear that she is below 18 years, thereupon it is open for the investigating officer concerned, to draw an appropriate action, against the accused, in accordance with law. Nonetheless, he may not arrest him without giving seven days notice upon him.

6. Petition is disposed of.

7. A copy of this order be given dasti on payment of usual charges.

(SURESHWAR THAKUR)
JUDGE

November 18, 2021
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : Yes/No