

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

(108)

CRWP-11170-2021.
Date of Decision:-26.11.2021.

Jaspal Kaur

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sumeet Puri, Advocate for the petitioner.

Mr. Sarabjit Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a criminal writ petition filed under Article 226 of Constitution of India for protection of life and liberty of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is a 51 year old widow and had given a representation dated 12.11.2021 (Annexure P-2) to the I.G.P. Patiala Zone, Patiala with a copy to the S.S.P. Malerkotla, in which she has stated that she earlier had given a complaint dated 10.11.2021 (Annexure P-1) and that she was being pressurized to withdraw the same and certain acts were done with her on the basis of which she has a reasonable apprehension that harm may be caused to her life and liberty. Learned counsel for the petitioner has further submitted that the petitioner would be satisfied in case respondent No.3-Senior Superintendent of Police, District Malerkotla is directed to consider the representation dated 12.11.2021 (Annexure P-2) on the limited aspect of threat perception to the petitioner and to take appropriate action thereupon.

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Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Mr. Sarabjit Singh, AAG, Punjab, accepts notice on behalf of respondent Nos.1 to 3 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, District Malerkotla, looks into the representation (Annexure P-2) 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, District Malerkotla, to look into the representation dated 12.11.2021 (Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioner and after making necessary enquiries, 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 above-said terms.

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

(VIKAS BAHL)
JUDGE

November 26, 2021.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No