

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 11286 of 2021
Date of Decision: 30.11.2021**

Sonam Saini and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Sandeep Sharma, Advocate for
Mr. Varinder Basa, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The present petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ 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 4 to 6.

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-5.

3. Consequently, this Court directs respondents concerned, to within three weeks hereafter, hence decide Annexure P-5, through a speaking order.

4. However, the afore order is subject to the condition that, upon the investigating officer, discovering credible evidence, with respect to the

age of the co-petitioner Sonam Saini, and, in case from the birth certificate concerned, it is clear that she is below 18 years, thereupon, upon, a complaint being filed by the father of the afore, 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 issuing seven days notice upon him.

5. Petition is disposed of.

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

(SURESHWAR THAKUR)
JUDGE

November 30, 2021
Gurpreet

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