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

CRWP-11437-2021

Date of decision : 03.12.2021

Pankaj Mittal and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Manjeet Singh, Advocate for the petitioners.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India praying for issuance of an appropriate writ, order or directions directing the official respondents to safeguard the life and liberty of the petitioners and their daughter namely Ananya.

Learned counsel for the petitioners has submitted that in the present case, respondent No.6-Ananya and respondent No.5-Vikas had filed a petition before the District and Sessions Judge, Kaithal for protection of their life and liberty and in the said petition, they had stated that they had married out of their free will and they were apprehending danger to their life and liberty from the present petitioners. It has further been very fairly stated that on 17.11.2021, even the statement of the said Ananya was recorded

which was in favour of respondent No.5. It is further brought to the notice of this Court that there are some Whatsapp messages which respondent No.6 had sent to her cousin as well as to her mother which have been reproduced in paras 8 and 9 of the present petition, as per which, she is apprehending danger to her life and she is very scared of living with respondent No.5 as respondent No.5 has criminal antecedents and from the messages, it seem that respondent No.6 is under immense pressure from respondent No.5 and his family members. It is further argued that the matter is still pending before the Sessions Judge, Kaithal and the petitioners have full faith in the Court but on account of being parents, they have very serious apprehensions with respect to the life of respondent No.6. It is contended that the petitioners had prepared a detailed reply, which is placed on record as Annexure P-8 with the present petition. On account of the extreme apprehension, the petitioners have made a limited prayer that the reply, which has been annexed with the present petition, which also contains Whatsapp messages, in addition to the other documents, be duly considered by the Sessions Judge, Kaithal before passing any final order in the said proceedings. It is also argued that the petitioners undertake that they will never threaten respondent Nos.5 and 6.

This Court has heard the learned counsel for the petitioners and has perused the paper book.

This Court has full faith in Sessions Judge, Kaithal who is dealing with the matter and a perusal of the various orders shows that the Court is proceeding in accordance with law.

This Court is sure that in case, the material which is sought to

be produced before this Court, is produced before the Sessions Judge, Kaithal, the same would be duly considered by the Sessions Judge, Kaithal and the order would be passed after considering the entire material produced by both the parties before the Sessions Judge, Kaithal.

Learned counsel for the petitioners has also requested that the statement of respondent No.6 be again recorded before the Sessions Judge, Kaithal when respondent No.5 is not present in the Court or by taking respondent No.6 to the chamber.

It would be open to the petitioners to make the said request to the Sessions Judge, Kaithal.

This Court is also sanguine that the Sessions Judge, Kaithal would proceed in the matter in accordance with law and also consider the fact that the life and liberty of respondent No.6 and all the persons concerned is the paramount consideration.

With the abovesaid observations, the present Criminal Writ Petition is disposed of.

03.12.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No