

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.12091-2021
Date of Decision: 23.12.2021

Preety & another

...Petitioner

Versus

State of Punjab & others

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Munish Raj Chaudhary, Advocate
for the petitioner(s).

Mr. H.S. Sitta, AAG, Punjab.

ANOOP CHITKARA, J. (Oral).

Fearing for their lives and liberty at the hands of the private respondents, the petitioners who claim to have married each other after attaining the permissible age for marrying have come up before this Court seeking protection through the State, invoking their fundamental rights of life guaranteed under Article 21 of the Constitution of India.

Notices served upon the official respondents through the State's counsel. Given, the nature of the order this Court proposes to pass, there is no requirement to issue notices to the private respondents.

If the allegations of apprehension of threat to their lives are found to be true, it might lead to an irreversible loss. Thus, in the facts and circumstances peculiar to this case, it shall be appropriate that the concerned Superintendent of Police/SHO or any officer to whom such powers have been delegated or has been authorized in this regard, grants protection to the petitioners for one week from today. However, if the

petitioner no longer requires the protection, it may be discontinued even prior to the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities upon the oral or written request of the petitioners.

This protection is subject to the stringent condition that from the time such protection is given, the petitioners shall not go outside the boundaries of the place of their residence, except for medical necessities, to buy household necessities, and bereavements in the families of the persons who are close to them. This restriction saves the petitioners from apprehended risk and ensures that the protection is not flaunted.

It is clarified that there is no adjudication on merits. It shall also be open for the petitioner to approach this Court again in case of any fresh threat perception. It is also clarified that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the petitioner's interrogation is required in any cognizable case.

The petition is disposed of in terms mentioned above.

December 23, 2021
AK

(ANOOP CHITKARA)
JUDGE

Whether speaking/reasoned
Whether reportable

~~Yes/No~~
~~Yes/No~~