

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP-575-2022

Date of decision : 21.01.2022

Gurnam Singh and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr.Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is a criminal writ petition under Article 226 of the Constitution of India for issuance of directions to respondent no.2 to protect life and liberty of the petitioners from the hands of respondents no.4 to 8.

Learned counsel for the petitioners has submitted that representation dated 05.01.2022 has been submitted by petitioner no.2 in which it has been specifically stated that petitioner no.2 is studying in 12th class and due to differences between her mother and father, she is residing separately at Jalalabad and the said parents, by taking Rs.1 lac from Anshuman illegally, sold her and on 04.01.2022 the said petitioner, for saving her life, reached the house of petitioner no.1 who is her maternal uncle and is taking care of her but the parents of petitioner no.2 are indulging in acts so as to raise reasonable apprehension to the life and

Learned counsel for the petitioner has stated that he would be satisfied if directions be issued to respondent no.2 to look into the limited aspect of threat perception to the petitioners and to take appropriate action. Learned counsel for the petitioners has submitted that he does not press the prayer in the present petition with respect to taking action against the said persons.

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

On advance notice, Mr. Sukhbeer Singh, AAG, Punjab, appears and 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.2-Senior Superintendent of Police, looks into the representations dated 05.01.2022 (Annexure P-1) and dated 06.01.2022 (Annexure P-2) on the limited aspect of threat perception to the petitioners and to take 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.2-Senior Superintendent of Police, to look into the representations dated 05.01.2022 (Annexure P-1) and dated 06.01.2022 (Annexure P-2) with respect to the limited aspect of threat perceptions to the petitioners and after making necessary enquiries and assessing the threat perception to the petitioners, respondent No.2 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 petitioners and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representations with a limited prayer aforesaid.

In view of what has been observed above, the present Criminal

Writ petition is disposed of in the abovesaid terms.

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

(VIKAS BAHL)
JUDGE

January 21, 2022
Davinder Kumar

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