

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-535-2022 (O&M)
Date of decision: 20.01.2022

Sandhya & another

...Petitioner

Versus

State of Punjab & others

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sandeep Godara, Advocate
for the petitioner(s).

Mr. Harsimar Singh Sitta, AAG, Punjab.

ANOOP CHITKARA, J.

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

The petitioner no.2 has not annexed any document to support her age, however, in paragraph no.2 of the petition, her date of birth has been mentioned as 01.01.1999. The petition is supported by way of an affidavit.

Notices served upon the official respondents through the State's counsel. Given the nature of the order, this Court proposes to pass, neither the response of official respondents is required nor exists any requirement to issue notices to the private respondents.

If the allegations of apprehension of threat to their lives turn out 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 have been authorized in this regard, provide appropriate protection to the petitioners for one week from today. However, if the petitioners no longer require the protection, then it may be discontinued even before the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or 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 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 interrogation of the petitioners is required in any cognizable case. It shall also be open for the petitioner(s) to approach this Court again in case of any fresh threat perception.

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

January 20, 2022
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No