

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.1306 of 2022

Date of Decision: 14th February, 2022.

Lakhwinder Ram & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Monty Goyal, Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing the official respondents, i.e respondents No.1 to 3, to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 10 because they (petitioners) are living together. It has also been mentioned in this petition that a representation (Annexure P-3) has already been moved to respondent No.2 in this regard.

Ms. Samina Dhir, learned Deputy Advocate General, Punjab, has joined the proceedings on behalf of respondents No.1 to 3 in this case in pursuance of the copies of the present petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and take appropriate

action on the said representation of the petitioners, i.e. Annexure P-3.

Learned State counsel has no objection for the same.

However, it is pertinent to mention here that as per the copy of the Aadhar Card (Annexure P-2) of petitioner No.2-Manjit Kaur, her date of birth is 13.01.2005 meaning thereby that she has not yet attained the age of 18 years.

On being posed a query by this Court, learned State counsel, on the instructions from ASI Chhinder Pal, apprises the Court that FIR No.08 dated 05.02.2022 has been registered against petitioner No.1 at Police Station Chamkaur Sahib District Rupnagar, under Sections 363 and 366-A IPC at the instance of respondent No.4.

Be that as it may, keeping in view the intent of the fundamental right as enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens and also the factum of the registration of the said FIR and without commenting or expressing any opinion on the legality and validity of the relationship between the petitioners, respondent No.2-Commissioner of Police, Ludhiana, is hereby directed to look into the said representation (Annexure P-3) of the petitioners only qua the threat perception to the lives of the petitioners and if it is found that the petitioners genuinely deserve the protection of their lives, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be a shield to the petitioners against any action taken or intended/contemplated to be taken against them by any competent authority/person on account of the afore-discussed facts and circumstances and permissible

under the relevant provisions of law and it shall also not amount to be a hindrance to/in the investigation of the afore-mentioned criminal case arising out of the said FIR.

This petition stands disposed of accordingly.

14.02.2022.
seema

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned?	Yes
Whether Reportable?	No