

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(108)

CRWP-1280-2022

Date of Decision : February 11, 2022

Simarjeet Kaur and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vivek Salathia, Advocate, for the petitioners.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed by the petitioners alleging threat to their life and liberty at the hands of private respondents.

Learned counsel for the petitioners submits that the petitioners are operating a dairy firm and the other residents of area are bent upon to dislodge them from the said site and everyday, on the asking of the private respondents, some officials from the police station will come and ask them to shift, which action has led to the apprehension that the petitioners have threat to their life and liberty at the hands of the private respondents.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel, on the other hand, submits that the present petition is not bona fide in nature as, an FIR has been registered against the petitioners, a copy of which has been appended as Annexure P-1 and the present petition has only been filed only to ensure that police does not act in a free and fair manner while investigating the said FIR. Learned State counsel further submits that he has instructions to submit that in case, the petitioners have any grievance with regard to threat to their life and liberty, they can approach the police authorities.

Learned counsel for the petitioners submits that the petitioners have already filed a representation dated 21.01.2022 (Annexure P-3) against the private respondents alleging an incident, which has led to the apprehension with regard to threat to their life and liberty and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to respondent No.3 to decide the said representation by passing an appropriate speaking order.

Learned State counsel raises no objection for the grant of the said prayer.

Without expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition or in the representation, the present petition is disposed of with a direction to respondent No. 3 to decide the representation dated 21.01.2022 (Annexure P-3) within a period of eight weeks from the receipt of copy of this order.

February 11, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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