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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRWP-1598-2022

Date of decision : 22.02.2022

Ramesh Kumari

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. R.S. Dhillon, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C. for issuance of a writ in the nature of mandamus directing official respondent Nos.1 to 3 for the protection of life and liberty of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner has given the representation dated 17.01.2022 (Annexure P-1) to respondent No.3-Station House Officer, Police Station Sadar Abohar, District Fazilka, in which she has prayed for protection of her life and liberty and has made averments which would show that there is reasonable apprehension to her life and liberty. It is further submitted that although in

the said representation, second prayer has been made regarding taking action against the private respondents but the petitioner would be satisfied in case the present Criminal Writ Petition is disposed of with direction to respondent No.3 to look into representation dated 17.01.2022 (Annexure P-1) on the limited aspect of protection of life and liberty of the petitioner only and after considering the threat perceptions, to take appropriate action in accordance with law. It is contended by the learned counsel for the petitioner that he wishes to withdraw the prayer regarding taking action against the private respondents and would avail appropriate remedy before the competent authority, if need be.

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

On advance notice, Mr. Sarabjit S. Cheema, 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.3-Station House Officer, Police Station Sadar Abohar, District Fazilka, looks into the representation dated 17.01.2022 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioner and takes 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.3-Station House Officer, Police Station Sadar Abohar, District Fazilka to look into the representation dated 17.01.2022 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioner and after making necessary enquiries and assessing the threat perceptions to the petitioner, respondent No.3 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 petitioner and it would be open to respondent No.3 to make his independent enquiry/assessment with regard to the representation 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 petitioner, if involved in any case.

22.02.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No