

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 1538 of 2022
Date of Decision: 21.2.2022**

Gagandeep Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

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

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus hence directing respondents No. 2 and 3 to give protection to the life and liberty of the petitioners, and, also against any interference in the peaceful life of the petitioners being made at the behest of respondents No. 4 to 6.

2. The learned State Counsel, does not have any objection, to an order being made by this Court to the respondents concerned, to look into and decide through a speaking order, representation Annexure P-4.

3. Consequently, this Court directs the respondents concerned, to within three weeks hereafter, hence decide Annexure P-4, through a speaking order.

4. However, the afore order is subject to the condition that, upon the investigating officer, discovering credible evidence, with respect to the

age of the co-petitioner Gagandeep Kaur, and, in case from the birth certificate concerned, it is clear that she is below 18 years, thereupon, upon, a complaint being filed by the father of the afore, it is open for the investigating officer concerned, to draw an appropriate action, against the accused, in accordance with law. Nonetheless, he may not arrest him without issuing seven days notice upon him.

5. Petition is disposed of.

6. A copy of this order be given dasti on payment of usual charges.

(SURESHWAR THAKUR)
JUDGE

February 21, 2022
Gurpreet

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