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

CRWP-1656-2022

Date of decision : 23.02.2022

Harjinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Arun Sharma, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for the issuance of a writ in the nature of mandamus directing respondent Nos.2 and 3 to protect the life and liberty of the petitioner from the hands of respondent Nos.4 to 7.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 17.02.2022 (Annexure P-1) to respondent No.3-Deputy Superintendent of Police, Phillaur, in which, one of the prayer, which has been made, is for taking action against the private respondents and the persons who have been named in the said representation.

Learned counsel for the petitioner submits that he does not

press the said prayer and would seek alternative remedy regarding the same, in accordance with law.

Learned counsel for the petitioner has further submitted that in the said representation, even the facts have been mentioned which would show that life and liberty of the petitioner and her daughter Hardeep Kaur is in danger and states that the petitioner would be satisfied, in case, the present Criminal Writ Petition is disposed of with direction to respondent No.3 to consider the representation dated 17.02.2022 (Annexure P-1) on the limited aspect of protection of life and liberty of petitioner and her minor daughter and after considering the threat perception, takes appropriate action, in accordance with law.

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-Deputy Superintendent of Police, looks into the representation dated 17.02.2022 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioner and her minor daughter 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-Deputy Superintendent of Police, to look into the representation dated 17.02.2022 (Annexure P-1) with a limited prayer for only protection of life and liberty of the petitioner and her minor daughter and after making necessary enquiries and assessing the threat perception to the petitioner and her minor

daughter, 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.

23.02.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No