

CRWP-2140-2021

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(213)

CRWP-2140-2021.

Date of Decision:-01.02.2022.

Dr. Aditya Swaroop Gupta and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Ms. Nisha Rana, Advocate for
Mr. Mukesh Singla, Advocate for the petitioners.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Sandeep Khunger, Advocate for respondent Nos.5 and 6.

(Through Video Conferencing)

SURESHWAR THAKUR, J. (Oral)

1. Through the instant petition, the petitioners seeks the making of a writ of mandamus, on the official respondents concerned, to decide representation (Annexure P-4).

2. After notice of motion being sent to the State of Haryana, the learned State counsel, through the HPS, Deputy Superintendent of Police, Barara, District Ambala, has filed a detailed response. In paragraph 5 of the response filed by the State, paragraph whereof stands extracted hereinafter, it is echoed that the jurisdiction to grant relief of protection, to the petitioner rather is vested in the Superintendent of Police, Bhiwani, as the petitioner resides within the territorial limits of the Superintendent of

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Police, Bhiwani. Therefore, the espoused relief of granting protection to the life and liberty of the petitioners, cannot be accorded by the Superintendent of Police, Ambala. The afore-made contention carried in the reply furnished, to the petition, by the official respondents is not contested.

“5. That however, on 02.02.2021, a complaint was received through email sent by Saurabh Swaroop Gupta son of petitioner in PS Mullana through Superintendent of Police, Ambala for registration of case in respect to missing of his wife namely Pooja. The copy of same is annexed as Annexure R-1 for kind perusal of this Hon’ble Court.”

3. Consequently, at this stage, the petition has no merit, and, it is dismissed. However, liberty is reserved to the petitioners to access the Superintendent of Police, Bhiwani, for the granting of protection to their life and liberty, and, if the afore application is made within 03 weeks, to the Superintendent of Police, Bhiwani, then it is open to the latter to through a speaking order made thereon, hence grant or decline relief to the petitioners.

(SURESHWAR THAKUR)
JUDGE

February 01, 2022.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No