

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

**Criminal Writ Petition No. 2952 of 2022
Date of Decision:01.04.2022**

NITU AND ANR

..... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Parvesh Sachdeva, Advocate
for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

CRMW-389-2022

The instant application has been filed for seeking exemption from filing certified copies of annexures.

For good, and, valid reasons recorded in the application, the same is allowed, subject to all just exceptions.

Main case

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C., for the issuance of a writ in the nature of a mandamus hence directing respondents No.2, and, 3 to give protection to the life, and liberty, of the petitioners, and against any interference in the peaceful life of the petitioners being made at the behest of respondents Nos.4 to 11.

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-5.

3. Consequently, this Court directs respondents concerned, to within three weeks hereafter, hence decide Annexure P-5, 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 Nitu, 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.

April 01, 2022
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(SURESHWAR THAKUR)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>