

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-303-2022 (O&M)
DECIDED ON: 25.04.2022

AMANPREET KAUR AND ANR.

.....APPELLANTS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI
HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Simranjeet Singh Sidhu, Advocate
for the appellants.

Mr. S.P.S. Tinna, Addl. A.G. Punjab.

Mr. Ashish Aggarwal, Advocate
for respondents No.4 and 5.

AUGUSTINE GEORGE MASI, J. (ORAL)

CM-807-LPA-2022

Prayer in this application is for placing on record the additional
affidavit of the appellant No.1 as Annexure P-8.

For the reasons mentioned in the application, the same is
allowed subject to all just exceptions. Additional affidavit of the appellant
No.1 as Annexure P-8 is taken on record.

LPA-303-2022

Challenge in this appeal is to the order dated 08.04.2022 passed
by the learned Single Judge, whereby the writ petition of the petitioners,
which was preferred by them, has been dismissed.

Perusal of the impugned order dated 08.04.2022 and according

to the learned Single Judge, demeanor of the appellants did not indicate that actually any threat was given to them by the parents. We, therefore, do not intend to interfere with the order passed by the learned Single Judge.

However, keeping in view the fact that on the last date of hearing when the case was taken up for consideration i.e. on 21.04.2022, the matter was adjourned to 25.04.2022 at the asking of the Court and the joint request of the counsel for the appellants as well as counsel for respondents No.4 and 5 as the counsel had on the said date very fairly stated that they would make an effort to settle the matter between the parties and today when the case has been taken up, it appears that the matter has not been amicably resolved till date. The conflicting submissions which have been made by the counsel for the parties making it apparent that there is still certain misunderstandings/discontent between the parties, may be based upon apprehensions in the mind of the appellants on the re-assurance which has been given by the private respondents.

For now, in the light of the above, it would not be safe to say that there is no threat at all on the part of the respondents especially when there are serious apprehensions in the mind of the appellants. We, therefore, leave it open to the appellants to approach the Commissioner of Police, Amritsar-respondent No.2 by way of a representation/complaint, in case there is real threat to the appellants at the hands of the private respondents pointing out therein specific instances and occasions when such a threat was given/received by the appellants. It would, thereafter be for the Commissioner of Police, Amritsar to look into the matter and take appropriate steps in accordance with law. This we are saying in the light of

the fact that Article 21 of the Constitution protects the life and liberty of each citizen of the Country but within the parameters and restrictions as provided therein.

Counsel for the private respondents has submitted that there is an FIR registered against the appellant No.2, if that be so, the appellant No.2 may avail all his remedy in accordance with law. Pendency or otherwise of the said FIR shall not in any manner affect the aspect with regard to the protection of Article 21 of the Constitution as pointed out above being subject to the provisions of law.

The appeal stands disposed of with the above observations and directions.

(AUGUSTINE GEORGE MASIH)
JUDGE

(SANDEEP MOUDGIL)
JUDGE

25.04.2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>