

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

114

CRWP-4597-2022

Date of Decision: 13.05.2022

NEHA AND ANOTHER

.....PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Amandeep Saini, Advocate for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The present petition has been filed under Articles 226/227 of the Constitution of India for the 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-5.

3. Consequently, this Court directs the 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 No.1, 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, but 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

May 13, 2022
kavneet singh

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