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

CRWP-4803-2022

Date of decision : 20.05.2022

Resham Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vinay Kumar, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing respondent Nos.2 and 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.4 to 7.

Learned counsel for the petitioner has submitted that petitioner is a 73 year old lady and had earlier approached this Hon'ble Court by way of filing CRWP-11034-2021, which was disposed by the Coordinate Bench of this Court on 24.01.2022. The relevant portion of the said order is reproduced hereinbelow:-

“Learned State counsel further submits that in case petitioner apprehends any threat to her life and liberty, she will be at liberty to approach the concerned police authorities with appropriate representation and in case any representation is received from the petitioner with some cogent evidence, appropriate action, if needed, will be

undertaken by the police without any delay.

Learned counsel for the petitioner submits that keeping in view the above, no further grievance of the petitioner survives in the present petition and the same may kindly be disposed of having been not pressed any further.

Ordered accordingly.

January 24, 2022 Sd/- (HARSIMRAN SINGH SETHI)

JUDGE ”

Learned counsel for the petitioner has further submitted that thereafter, the petitioner had filed another CRWP-4072-2022 but the same was withdrawn with liberty to file fresh petition after giving full and better particulars and thereafter, the present Criminal Writ Petition has been filed, in which, full and better particulars have been given and even subsequent representation dated 12.05.2022 (Annexure P-5) has been given to respondent Nos.2 and 3, in which, it has been stated that even on 22.03.2022, an incident had taken place which has caused reasonable apprehension in the mind of the petitioner with regard to her life and liberty. It is further submitted that the said incident has occurred after 24.01.2022.

Learned counsel for the petitioner has further submitted that the petitioner would be satisfied in case, the present Criminal Writ Petition is disposed of with direction to respondent No.2-Senior Superintendent of Police, to look into the representation dated 12.05.2022 (Annexure P-5) only with respect to protection of life and liberty of the petitioner and to take 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.2-Senior Superintendent of Police, looks into the representation dated 12.05.2022 (Annexure P-5) with a limited prayer for only protection of life and liberty of the petitioner 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.2-Senior Superintendent of Police, to look into the representation dated 12.05.2022 (Annexure P-5) with a limited prayer for only protection of life and liberty of the petitioner and after making necessary enquiries and assessing the threat perception to the petitioner, respondent No.2 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.2 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.

20.05.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**