

118

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

CRWP-6148-2022

Date of decision : 04.07.2022

Sukhjit Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Jaspreet Kaur, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of directions to official respondent Nos.1 to 3 for the protection of life and liberty of the petitioners and not to interfere in the peaceful life of the petitioners at the behest of respondent Nos.4 to 15.

Learned counsel for the petitioners has submitted that earlier also, petitioner No.1 had approached this Hon'ble Court by way of filing Criminal Writ Petition bearing No.CRWP-6104-2021 and this Court vide order dated 01.10.2021 had passed the following order:-

“After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.2 to look into the representation dated

18.03.2021 (Annexure P-3) with a limited prayer for only protection of life and liberty of the petitioner and her children and after making necessary enquiries, 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 dated 18.03.2021 (Annexure P-3) with a limited prayer aforesaid.

In view of what has been observed above, the present criminal writ petition is disposed of in the above-said terms.

It is, further, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.”

It is further submitted by the learned counsel for the petitioners that after passing of the said order, another incident had taken place on 12.03.2022 with respect to which representation dated 21.03.2022 (Annexure P-2) has been given by petitioner No.1 to respondent No.2-Senior Superintendent of Police, District Roopnagar and the petitioners 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 21.03.2022 (Annexure P-2) only with respect to protection of life and liberty of the petitioners 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 21.03.2022 (Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioners 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 21.03.2022 (Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioners and after making necessary enquiries and assessing the threat perception to the petitioners, 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 petitioners 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 petitioners, if involved in any case.

04.07.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No