

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.120

CRWP No.6711 of 2022

Date of Decision: 14th July, 2022.

Gaurav & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Ms. Pridhi Jaswinder Sandhu Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of the present petition, both the petitioners have approached this Court for seeking the issuance of direction to respondents No.1 to 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 & 5 because they (petitioners) are living in relationship. It has also been mentioned in this petition that a representation (Annexure P-3) has already been moved to respondent No.2 in this regard.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, has appeared on behalf of respondents No.1 to 3 in this case, in pursuance of the copies of the instant petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioners restricts her prayer to the issuance of a direction to respondent No.2 to look into and take appropriate

action on the said representation of the petitioners, i.e. Annexure P-3.

Learned State counsel has no objection for the same.

However, it is pertinent to mention here that in Annexure P-2, i.e the copy of the Aadhar Card of petitioner No.2-Asha, her date of birth has been recorded as 04.10.2005, meaning thereby she has not yet attained the age of majority, i.e. 18 years.

At this stage, on being put a query, learned counsel for the petitioners informs the Court that a criminal case already stands registered against petitioner No.1 at Police Station Tanda, District Hoshiarpur, vide FIR No.159 dated 07.07.2022, under Sections 363 & 366-A IPC.

However, keeping in view the intent of the fundamental right enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens and the above-discussed limited prayer as made by learned counsel for the petitioners and also without commenting or expressing any opinion on the validity and legality of the relationship between the petitioners, respondent No.2-Senior Superintendent of Police, Hoshiarpur, is hereby directed to look into the said representation of the petitioners (Annexure P-3) only to the extent of their threat perception qua their lives and if it is found that the petitioners genuinely deserve the protection of their lives, then to take appropriate action in accordance with law.

It is further clarified that this order shall not amount to be a hindrance to/in the investigation qua the afore-said FIR and shall also not be construed to be a shield to the petitioners against any other action already initiated or intended/contemplated to be initiated against them by any

competent authority/person in view of the above-discussed facts and circumstances and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

14.07.2022.
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Whether speaking/reasoned?	Yes
Whether Reportable?	No