

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

SR. No.125

CRWP-6863-2022

Date of Decision:18.07.2022

Rupali and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rakesh Kumar, Advocate,
for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India for issuance of writ, order or direction to respondents No.2 and 3 to protect the life and liberty of the petitioners.

Learned counsel for the petitioners has submitted that petitioner No.1-Rupali is of 22 years of age and petitioner No.2-Amandeep Singh is 28 years of age. He submitted that they have got married with each other against the wishes of the family and the marriage certificate regarding the same is also attached as Annexure P-4. He further submitted that a representation dated 14.07.2022 was given to the Commissioner of Police, Amritsar (Rural) vide Annexure P-5 for protection of the life and liberty of the petitioners but no action has been taken thereon. A receipt thereof is also annexed with the representation. He further submitted that the official respondents be directed to ensure the protection of life and liberty of the petitioners.

Notice of motion.

Mr. Davinder Bir Singh, DAG, Punjab, accepts notice on behalf

of respondents No.1 to 3, while Mr. Vikas Arora, Advocate, has put in appearance on behalf of respondents No.4 to 6. He has filed Vakalatnama, which is taken on record. Respondents No.4 and 5 are the parents of petitioner no.1-girl and respondent No.6 is her brother.

Learned counsel for the private respondents submitted that respondents No. 4 to 6 have never threatened the petitioners and they will never cause any kind of threat to the petitioners' life and liberty in future. He has, however, submitted that petitioner No.1 before leaving the house had administered drug to respondents No.4 and 5 by mixing it in the milk and also stole Rs.4 lacs as well as gold weighing 3 tolas from the house but no action has been taken by the police.

I have heard the learned counsel for the parties.

Learned counsel for the State has submitted that he has no objection if appropriate directions are issued to the official respondents for considering grant of protection of life and liberty to the petitioners.

The scope of the present petition is, therefore, confined only to the extent of grant of protection of life of the petitioners. Learned counsel for the private respondents has already stated before this Court that the private respondents shall not cause any threat to the petitioners' life and liberty.

In view of the aforesaid position, it is directed that in case the petitioners have any kind of threat from the private respondents in future, then petitioners may move an application before respondent No.2 or respondent No.3 and in case such an application is moved, then the threat perception of the petitioners shall be ascertained by the police officer and in

case it is so required then it shall be ensured that the lives of the petitioners are protected.

It is made clear that the direction issued in the present case would not create an embargo upon the police to take any action against petitioner No.1 with regard to the allegations made by respondents No.4 and 5 as aforesaid and in case any action is required to be taken in accordance with law, the present directions for protection of life and liberty of the petitioners will not create any kind of embargo.

Petition stands disposed of, accordingly.

(JASGURPREET SINGH PURI)
JUDGE

18.07.2022
mks

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO