

**In the High Court of Punjab and Haryana at Chandigarh**

**CRWP No. 7486 of 2022**  
**Date of Decision: 05.8.2022**

Shaina and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR**

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

Mr. Bhupender Beniwal, AAG, Punjab.

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**SURESHWAR THAKUR, J. (ORAL)**

1. The present petition has been filed under Article 226 read with Article 21 of the Constitution of India for issuance of a writ in the nature of mandamus hence directing the official respondents 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 7.

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 co-petitioner Shaina, 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**

**August 05, 2022**  
**Gurpreet**

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