

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

CRWP-7731-2022

Date of decision: 16.08.2022

Sarabjit Kaur

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. J.S. Dhaliwal, Advocate
for the petitioner.

NAMIT KUMAR, J. (ORAL)

This is a criminal writ petition under Articles 226/227 of the Constitution of India for issuance of directions to respondents No.2 and 3 to ensure the protection of life and liberty of the petitioner and it has been alleged that the private respondents attacked the petitioner and her husband and now they are threatening to eliminate the petitioner and her husband as and when they will get the chance.

Another prayer has been made in the petition to decide the representation dated 13.07.2022 (Annexure P-1) filed by the petitioner to the police against respondents No.4 and 5.

In other words, the petitioner is seeking registration of FIR against respondents No.4 and 5.

Heard.

At this stage, notice of motion is issued to respondents No.1 to 3-State to the limited extent of protection of life and liberty.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab puts in appearance and accepts notice on behalf of respondents No.1 to 3-State. Copy of the paper book be supplied to the counsel opposite during the course of the day.

In view of the law laid down by the Hon'ble Supreme Court in the judgment in 'Sakiri Vasu versus State of UP and others' 2008 (2) SCC 409 and in 'M. Subramaniam and another versus S. Janaki and another' in Criminal Appeal No.102 of 2011 decided on 20.03.2020, the Coordinate Bench of this Court in the case of 'Sukhdarshan Singh versus State of Haryana and others' decided on 23.03.2022, has held that petition filed under Section 482 Cr.P.C. for registration of FIRs, is not maintainable.

Therefore, in view of the above, the petitioner is given liberty to avail his alternative remedy so far as his complaint dated 13.07.2022 (Annexure P-1) is concerned. However, directions are issued to respondents No.2 and 3 to consider the claim of the

petitioner for protection of his life and liberty.

The present petition stands disposed of accordingly.

16.08.2022
Neha

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No