

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

CRWP No.8785 of 2022

Date of Decision: 13.09.2022

Pankaj Mahajan and another

.....Petitioners.

Versus

The State of Punjab and others

.....Respondents.

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

Present:- Ms. Harpreet Kaur, Advocate for the petitioners.

MEENAKSHI I. MEHTA, J.(Oral)

Both the petitioners have joined hands to prefer this petition for seeking the issuance of the 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 to 7 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. Arun Gupta, learned Assistant 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 (Annexure P-3) of the petitioners.

Learned State counsel has no objection for the same.

It is pertinent to mention here that in Para No.2 of the petition, it has been averred that petitioner No.1 was already married but he had been granted the divorce. However, no document has been placed on the file in this regard. Further, as mentioned in Para No.3 in the petition, petitioner No.2 is also married to respondent No.4.

Be that as it may, 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 as well as the above-discussed limited prayer as made by learned counsel for the petitioners and without commenting or expressing any opinion on the legality and validity of the relationship between the petitioners, respondent No.2-Senior Superintendent of Police, District Gurdaspur, is hereby directed to look into the said representation (Annexure P-3) of the petitioners and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be a shield to the petitioners against any criminal or civil action/proceedings already initiated or intended/contemplated to be initiated against them by any competent authority/person on account of their said relationship and permissible under the relevant provisions of law.

This petition stands disposed of accordingly.

September 13, 2022

Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:

Yes

Whether Reportable:

No