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

CRWP-9213-2022

Date of decision : 23.09.2022

Rajveer Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Shantnu Sharma, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Articles 226/227 of the Constitution of India praying for the issuance of directions to the official respondents to protect the life and liberty of the petitioner and her friend namely Vijay Kumar from the hands of private respondents.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 10.09.2022 (Annexure P-2) to respondent No.2-Senior Superintendent of Police, Ferozepur with respect to protection of life and liberty of the petitioner and her friend namely Vijay Kumar and in the said representation, she has detailed the facts which has caused reasonable apprehension in her mind with regard to her life and liberty. It is further submitted that the petitioner is living in a “*Live in*

Relationship” with the said Vijay Kumar out of her free Will and choice. It is contended that petitioner is already married with respondent No.4 and no legal divorce has been taken by petitioner from respondent No.4-Sajan Kumar, who is the husband of the petitioner.

Learned counsel for the petitioner, in support of his arguments, has relied upon a ***judgment dated 03.09.2021*** passed by the Division Bench of this Court in ***LPA-769-2021*** titled as “***Ishrat Bano and another vs. State of Punjab and others***”

Learned counsel for the petitioner has further contended that the petitioner would be satisfied in case, the present Criminal Writ Petition is disposed of with direction to respondent No.2-Senior Superintendent of Police, to look into the representation dated 10.09.2022 (Annexure P-2) only with respect to protection of life and liberty of the petitioner and her friend Vijay Kumar and to take appropriate action in accordance with law.

Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Mr. Ramdeep Partap Singh, Sr. DAG, Punjab appears and accepts notice on behalf of respondent Nos.1 to 3 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Senior Superintendent of Police, looks into the representation dated 10.09.2022 (Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioner and her friend namely Vijay Kumar and takes appropriate action in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.2-Senior Superintendent of Police, to look into the representation dated 10.09.2022

(Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioner and her friend namely Vijay Kumar and after making necessary enquiries and assessing the threat perception to the petitioner, respondent No.2 shall take appropriate action in accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioner and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation with a limited prayer aforesaid.

In view of what has been observed above, the present Criminal Writ petition is disposed of in the abovesaid terms.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.

23.09.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No