

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

Sr.No.115

CRWP No.9268 of 2022

Date of Decision: 27.09.2022

Suminder Saini and another

...Petitioners

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Jaswinder Rana, Advocate,
for the petitioners.

MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing 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 6 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. Kunwarbir Singh, 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 present petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and take appropriate action on the said representation of the petitioners, i.e. Annexure P-3.

Learned State counsel has no objection for the same.

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However, it is worth-while to mention here that it has categorically been averred in Para No.8 in the petition that the marriage of petitioner No.1 with one Arzoo Rani stands dissolved vide the judgment and decree dated 15.03.2022 and petitioner No.2 has also filed a divorce petition against her husband Hardeep Singh but however, no documents have been placed on the file to establish the above-said facts.

Be that as it may, keeping in view the intent of the fundamental right as enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the afore-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, Mohali, is hereby directed to look into the above-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 civil or criminal action/proceedings already initiated or intended/contemplated to be initiated against them by any competent authority/person on account of their afore-said relationship and permissible under the relevant provisions of law.

This petition stands disposed of accordingly.

27.09.2022
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned *Yes*
Whether Reportable *No*