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

CRWP-9392-2022

Date of decision : 29.09.2022

Mamta and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Nisha Rana, Advocate for the petitioners.

Mr. Dhruv Sihag, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.1 to 4 to protect the life and liberty of the petitioners from the hands of private respondents.

Learned counsel for the petitioners has submitted that the petitioners have given a representation dated 19.03.2022 (Annexure P-7) to respondent No.4, in which, two prayers have been made. First prayer which has been made is for taking legal action against the persons as mentioned in the representation. Second prayer which has been made is for protection of life and liberty of the petitioners.

Learned counsel for the petitioners has further submitted that as

far as the first prayer is concerned, in view of law laid down by Hon'ble the Supreme Court of India in case titled **Sakiri Vasu Vs. State of U.P. and others**, reported as **2008(2) SCC 409** and in **M. Subramaniam and another Vs. S. Janaki and another, Criminal Appeal No.102 of 2011, decided on 20.03.2020**, the petitioners seek permission of this Court to withdraw the present Criminal Writ Petition with liberty to pursue alternative remedies in accordance with law.

As far as second prayer is concerned which is for protection of life and liberty of the petitioners, learned counsel for the petitioners has submitted that the petitioners would be satisfied in case the present Criminal Writ Petition is disposed of with direction to respondent No.2 to look into representation dated 19.03.2022 (Annexure P-7) on the limited aspect of protection of their life and liberty and after seeing threat perception, take appropriate action in accordance with law.

Notice of motion to respondent Nos.1 to 4 only.

On advance notice, Mr. Dhruv Sihag, AAG, Haryana appears and accepts notice on behalf of the respondent Nos.1 to 4 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2 looks into the representation dated 19.03.2022 (Annexure P-7) with a limited prayer for only protection of life and liberty of the petitioners and takes appropriate action in accordance with law.

This Court has heard the learned counsel for the parties and has perused the paper book.

In view of the statement made by learned counsel for the petitioners with respect to the first prayer which is for taking legal action

against the persons as mentioned in the representation, the petitioners are permitted to withdraw the present Criminal Writ Petition qua first prayer, with liberty to pursue alternative remedies, in accordance with law.

With respect to the second prayer which is for protection of life and liberty of the petitioners, the present Criminal Writ Petition is disposed of with direction to respondent No.2 to look into the representation dated 19.03.2022 (Annexure P-7) with a limited prayer for only protection of life and liberty of the petitioners and after making necessary enquiries and assessing the threat perception to the petitioners, 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 petitioners 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.

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

29.09.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No