

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

CRWP-12376 of 2021
Date of Decision: 03.01.2022

Kajal and another	...	Petitioners
Versus		
State of Haryana and others	...	Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Lajpat Rai Sharma, Advocate
for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

Mr. Sandeep Siwach, Advocate for private respondents.

(Through Video Conferencing)

ANOOP CHITKARA, J.(ORAL)

Fearing for their lives and liberty at the hands of the private respondents, the petitioners who claim to have married each other after attaining the permissible age for marrying have come up before this Court seeking protection through the State, invoking their fundamental rights of life guaranteed under Article 21 of the Constitution of India.

Notices served upon the official respondents through the State's counsel. Given, the nature of the order this Court proposes to pass, there is no requirement to issue notices to the private respondents.

If the allegations of apprehension of threat to their lives are found to be true, it might lead to an irreversible loss. Thus, in the facts and circumstances peculiar to this case, it shall be appropriate that the concerned Superintendent of Police/SHO or any officer to whom such powers have been delegated or has been authorized in this regard, grants protection to the petitioners for one week from today. However, if the petitioners no longer requires the protection, it may be discontinued even prior to the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities

upon the oral or written request of the petitioners.

This protection is subject to the stringent condition that from the time such protection is given, the petitioners shall not go outside the boundaries of the place of residence, except for medical necessities, to buy household necessities, and bereavements in the families of the close relatives or close friends. This restriction saves the petitioners from apprehended risk and ensures that the protection is not flaunted.

It is clarified that there is no adjudication on merits. It shall also be open for the petitioners to approach this Court again in case of any fresh threat perception. It is also clarified that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the petitioner's interrogation is required in any cognizable case.

Learned counsel for the petitioners has also argued that even he has received threatened calls.

Given above, in case, learned counsel for the petitioners feels the necessity of police protection then he may contact Mr. Manish Bansal, learned Deputy Advocate General, Haryana who in turn shall ensure that appropriate protection is granted to learned counsel for the petitioners for the time till it is required.

The petition is disposed of in terms mentioned above.

(ANOOP CHITKARA)
JUDGE

January 03, 2022
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No