

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.281 of 2023 (O&M)
Date of Decision: 28.07.2023

Mehar Kaur and another ...Petitioners
Versus
State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Anil Kumar Lamdharia, Advocate for
Mr. Vikas Chaudhary, Advocate the petitioners.

Mr. Rajat Gautam, Addl. A.G. Haryana.

Mr. H.P.S. Sandhu, Advocate and
Mr. H.V. Gupta, Advocate for respondents No. 6 and 7.

ANOOP CHITKARA, J.

Fearing for life and liberty at the hands of the private respondents, the petitioners, invoking the fundamental right of life guaranteed under Article 21 of the Constitution of India, have come up before this Court seeking protection through the State. Petitioner No. 1, who is a woman, aged 88 years has unfortunately to take the shelter of this Court to save her life.

2. Reply dated 24/25.07.2023 filed by State counsel today in the Court is taken on record.
3. At this stage, counsel for the private respondents states on instructions that they assure that there is nothing to fear from them and assumption of threat is absolutely misconceived. However, counsel for the petitioners submits that this assurance is false.
4. If the allegations of apprehension of threat to life turn out 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 have been authorized in this regard, provide appropriate protection to the petitioners for one week from today. However, if the petitioners no longer requires the protection, then at their request, it may be discontinued even before the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of the petitioners.

5. 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. This restriction saves the petitioners from apprehended risk and ensures that the protection is not flaunted.
6. It is clarified that there is no adjudication on merits and 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 interrogation of the petitioners is required in any cognizable case. It shall also be open for the petitioners to approach this Court again in case of any fresh threat perception.
7. **This order shall eclipse after fifteen days from today.**
8. *There would be no need for a certified copy of this order, and any Advocate for the Petitioners and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*
- Petition is allowed to the extent mentioned above.** All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

28.07.2023
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.