

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(108)

CRWP 4367 of 2023

Date of Decision: May 05, 2023

Gobind Singh and another

.....Petitioners

Versus

State of Punjab and ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.G. S. Sidhu, Advocate for the petitioners.

HARKESH MANUJA, J (ORAL)

The present Criminal Writ petition has been filed under Article 226 of the Constitution of India for issuance of direction to the respondents No.4 to 8 so as to protect the life and liberty of the petitioners.

Notice of motion.

Mr. Tarun Aggarwal, accepts notice on behalf of respondents No.1 to 3 and requisite copies of the petition have already been supplied to the respondent-State by the learned counsel for the petitioners.

As per contents made in the petition along with the documents attached, it appears that the petitioner No.1-Gobind Singh aged 26 years and petitioner No.2-Reshma is minor aged 17 years, who are in a “Live in Relationship”.

It has been contended that petitioner No.2 is in live-in- relationship out of her own free wish and will and without there being any threat at the hands of petitioner No.1. It has been further submitted that the petitioners are having continues threat at the hands of private respondents No.4 to 8 and in this regard they have already submitted representation dated 01.05.2023 (Annexure P-3) to

respondent No.2. It has also been contended that despite there being a continues threat to the life and liberty of the petitioners, at the hands of private respondents, the official respondents have failed to take any action in this regard.

Learned counsel for the petitioners also relies upon the decision rendered by this Court in the case of “*Pawanpreet Singh and another vs. State of Punjab and others*” passed in CRWP-6977-2022 on 21.07.2022.

Keeping in view the proposition of law laid down in the aforementioned cases and without expressing any opinion upon the relationship being maintained by the petitioners, however, considering their age, the present petition is disposed of with a direction to respondent No.2-The Senior Superintendent of Police, Bathinda to consider the representation dated 01.05.2023 (Annexure P-3) and assess the threat perception to the petitioners and after considering the same, pass necessary directions to respondent No.3 in this regard.

Accordingly, the Criminal Writ Petition stands disposed of in the aforesaid manner.

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

May 05, 2023
anil

[HARKESH MANUJA]
JUDGE

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no