

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.5396-2023
Date of decision: July 18, 2023

Sunita Rani and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: None for the petitioners.

Mr. Shiva Khurmi, AAG, Punjab.

ANOOP CHITKARA, J.

Case called thrice, none has caused appearance on behalf of the petitioners.

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.

2. Notices served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.

3. State counsel on instructions submits that the petitioners are running accused in FIR and they have not been released on bail by the trial Court as well as there is no threat perception to them from the complainant's side.

4. Given above, 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 and their family members for one week from today. However, if the petitioners no longer require 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. After that the petitioners are permitted to avail legal remedies available to them.

5. This protection is subject to the stringent condition that from the time such protection is given, the petitioners and their family members shall not go outside the

boundaries of the place of residence, except for medical necessities, to buy household necessities, and for bereavements in the families of the close relatives or close friends. This restriction saves the petitioner and their family members 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 and their family members 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

July 18, 2023
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Whether speaking/reasoned: Yes
Whether reportable: No.