

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRWP-8655-2021 (O&M)
Decided on : 17.04.2023

Fatima @ Sarda and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: None for the petitioner(s).

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. In the present protection petition, on 16.09.2021, following order was passed:

“The learned counsel for the petitioners has submitted that the petitioners have married with each other and respondent No.4 is the brother of petitioner No.2 and there is imminent threat of life at the hands of respondent No.4 because they have married against the wishes of respondent No.4. He submitted that in the memo of parties, the address which has been given, the petitioners have been residing there but because of the threat they have to come out from the given address to save their lives. He further submitted that be that as it may, the petitioners shall appear before the SSP, Fatehgarh Sahib and apprise him with regard to the threat perception to them by respondent No.4 and also provide the details of their residences as well as their place of work.

Notice of motion.

Mr. B.S.Sewak, Addl. A.G., Punjab accepts notice on behalf of respondents No.1 to 3.

In case, the petitioners appear before the SPP, Fatehgarh Sahib then he shall depute some responsible officer to asses the threat perception of the petitioners and to ensure that in case any threat perception is there, he shall take further steps in accordance with law.

Adjourned to 6.10.2021.”

2. Thereafter, there was no representation on 01.02.2022, 02.03.2022 and on 01.04.2022 on behalf of petitioners.

3. Even today, none has appeared on behalf of the petitioners.

CRWP-8655-2021 (O&M)

- 2 -

4. On the other hand, learned State counsel refers to Para Nos. 3 to

5 of the Status report, which says as under:

“3. That in compliance to the above said directions, it is submitted here that none of the petitioners had so far appeared before the respondent No.2. However, on 25-02-2022, ASI Jaswinder Singh under the directions of SHO, P.S.Sirhind, District Fatehgarh Sahib, visited the house of Manpreet Singh son of late Gurmail Singh, in village Madhopur, P.S.Sirhind, Tehsil and District Fatehgarh Sahib, where said Manpreet Singh was not present. However, his mother Harjit Kaur was found present and she made her statement to ASI Jaswinder Singh to the effect that the petitioners had taken her house on rent in the month of June 2021 and the petitioners lived in their house for about 1/1½ months and thereafter, they had gone away and now she does not know as to where they are residing. The true translated copy of her statement is hereby enclosed as Annexure R-1/T.

4. That on the same day, ASI Jaswinder Singh also met the respectable persons of village Madhopur and recorded their joint statement. In their joint statement, the respectable persons also confirmed the above said fact. The true translated copy of the said joint statement is hereby enclosed as Annexure R-2/T.

5. That from the above said facts, it is clear that although, the petitioners have mentioned their present address of village Madhopur, District Fatehgarh Sahib, yet they are not residing at village Madhopur, District Fatehgarh Sahib. Therefore, the threat perception to the petitioners could not be assessed in their absence.”

5. In view of the explanation given by the State in the report, this Court does not find any reason to keep petition pending for indefinite period, specially when the petitioners are themselves not appearing before this Court, after filing of the petition.

6. Moreover, required direction has been issued by this Court as already been reproduced hereinabove in order dated 16.09.2021.

7. Hence, no issue survives in the present petition.

8. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

April 17, 2023
k.nain