

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

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**CRWP-8872-2021 (O&M)
Decided on : 20.02.2023**

Mohammad Khan and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Lajpat Rai Sharma, Advocate for
Mr. Parvesh Sachdeva, Advocate for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab

SANJAY VASHISTH, J. (Oral)

Instant petition was filed by petitioners i.e. Mohammad Khan, aged about 37 years and Rani, aged about 32 years, for issuance of a writ in the nature of mandamus directing respondents No. 2 to 4 for providing protection to the lives and liberty of the petitioners, which is at imminent danger at the hands of private respondents No. 5 to 12.

In response to the petition, short reply dated 28.10.2021 by way of affidavit of Jasbir Singh, PPS, Deputy Superintendent of Police, Sub-Division, Fazilka, District Fazilka has been filed learned State counsel on behalf of respondents No. 1 to 4. Same is taken on record. Registry is directed to tag the same at appropriate place.

Learned State counsel refers to paragraphs No. 4 and 5 of the status report, which says as under:

“4. *That it is submitted that the police received an application (No.5553-SPL-PC dated 29.09.2021) from the petitioners in which they alleged that they are living in live-in-relationship, but the private respondents (who are family members/relatives of the petitioner No.2) do not like the petitioners living together and they threatened to kill the petitioners. The petitioners sought protection to their life and liberty from the hands of the private respondents. During the enquiry conducted by the*

deponent. the statement of the petitioner No. 1 was recorded. In his statement made before the police, the petitioner No. 1 stated that now there is no danger to their life and liberty from the hands of the private respondents and they do not want any action to be taken on their application/present petition. Copy of the statement of the petitioner No. 1 is annexed herewith as Annexure R-1/T.

5. *That the petitioners are major. There is no danger to the life and liberty of the petitioners at the hands of the private respondents as revealed during the enquiry. However, if in future, the petitioners apprehend any danger and they approach the police, the necessary police protection will be provided to the petitioners as the situation so warrants. As such, no cause of action has accrued to the petitioners to file the present petition.”*

Learned State counsel informs this Court that petitioner No. 1 has already expired on 30.02.2023 during the pendency of the present petition before this Court.

I have gone through the averments mentioned in the present petition and reply filed by the State counsel.

In view of the reply filed by the State counsel and as reproduced here-in above, this Court is of the view that no purpose would be served by keeping the petition pending, especially in view of the fact that petitioner No.1 has expired on 30.02.2023, therefore, present petition stands disposed of.

Disposed of.

(SANJAY VASHISTH)
JUDGE

20.02.2023

Riya

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

