

CRWP-9556-2021

Date of Decision:28.02.2023

Rahul Sukhdev and Anr.

...Petitioners

VS.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : None for the petitioners.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

The record shows that no one had put in appearance on behalf of petitioners on 03.03.2022, 20.07.2022 and 18.10.2022.

Even today, the case has been called twice but no one has put in appearance on behalf of the petitioners.

I have perused the file with the assistance of the learned State counsel.

In the main case, the petitioners have prayed for issuance of a Writ in the nature of Mandamus directing the respondents No.2 and 3 to protect the lives and liberty of the petitioners as they apprehend imminent threat at the hands of private respondents No.4 and 5.

It has been stated in the petition that both the petitioners are major. The petitioner No.2 was earlier married to Satish Kumar (respondent

No.4) and out of the said wedlock two children were born. But the relationship of the petitioner No.2 with Satish Kumar was not cordial and due to this reason the petitioner No.2 and Satish Kumar started residing separately for the last six months. However, the children of petitioner No.2 continue to stay with respondent No.4. Thereafter, the petitioner No.2 developed friendship with petitioner No.1 and was in live-in-relationship with him. It has been further averred that the petitioners were facing threats at the hands of respondents No.4 and 5 and consequently, the instant petition was filed before this Court with a prayer to protect their lives and liberty.

Upon notice, the learned State counsel had filed a reply by way of an affidavit of Deputy Superintendent of Police, Sub-Division Derabassi, District SAS Nagar, Mohali on behalf of official respondents.

Learned State counsel submits that an enquiry has been conducted in the matter and as the per enquiry report Annexure R1/T, it has been found that the petitioners do not apprehend any threat from any corner. Apart from that, the police has recorded the statements of respondents No.4 and 5 and they stated during the course of enquiry, that they have no concern with the present petitioners and a false application has been moved against them.

Apart from that, during the course of enquiry, the police also recorded the statement of Mitlesh (mother of petitioner No.2) and Jatinder (brother of petitioner No.2) as well and they also stated that they had no relation with petitioner No.2 and she may do whatever she wants to do.

Apart from that, learned State counsel also submitted that phone numbers of police officials have been provided to both the petitioners

and in case of any apprehension of threat to their lives and liberty, they are free to make phone calls for protection and appropriate action shall be taken in accordance with law.

In view of the statement made by learned State counsel, this Court does not deem it appropriate to pass further orders and the petition is accordingly disposed off.

28.02.2023
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(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No