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

**CRWP-7796-2023
Date of Decision: 07.08.2023**

Kulbeer Kaur and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vinay Kumar, Advocate
for the petitioners.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.1 to 3 to protect the life and liberty of the petitioners.

2. Learned counsel for the petitioners has submitted that petitioner No.1 is a lady, who is already married and having a child and she was tortured by her husband and thereafter, she started living with petitioner No.2. Since the petitioners are having threat to their life and therefore, they have filed a representation to respondent No.2-Senior Superintendent of Police, Gurdaspur and also to respondent No.3 SHO, Police Station Ghuman, District Gurdaspur, vide Annexure P-3 dated 01.08.2023, which was sent by way of courier from High Court premises to Gurdaspur vide courier receipt which has been attached at Page No.18-A and submitted that in view of the aforesaid position, the SSP, Gurdaspur may be directed to

consider and decide the representation of the petitioner.

3. I have heard the learned counsel for the petitioners.

4. The petitioners have filed the present petition for protection of their life and liberty. Petitioner No.1 is a lady, who is already married and is having a child and now she is in live in relationship with petitioner No.2.

5. However, a perusal of the paper-book would show that the petitioners have straight away rushed to this Court without even apprising the police with regard to threat. The representation (Annexure P-3) is dated 01.08.2023 and the courier by which it was sent to the SSP, Gurdaspur is of the same date i.e. 01.08.2023 and as per the learned counsel for the petitioners, the courier was sent from the High Court premises to Gurdaspur on 01.08.2023. However, the present petition has been filed on the next date i.e. 02.08.2023. At the point of time when the petition was filed, even courier might not have reached the concerned police officer. Therefore, this Court is of the view that such kind of petition wherein especially the prayer is for issuance of writ in the nature of mandamus is not maintainable in view of the fact that a writ of mandamus can be filed only after an appropriate and adequate representation/complaint is given to the concerned officer.

6. Consequently, the present petition is dismissed as premature.

07.08.2023

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

1. Whether speaking/reasoned:	Yes/No
2. Whether reportable:	Yes/No