

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118

CRWP-9329-2023 (O&M)

Date of Decision: 20.09.2023

Simran and another

...Petitioners

Versus

UT, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Amit Kashyap, Advocate,
for the petitioners.

VIKAS SURI, J. (Oral)

[1] This is a petition under Article 226 of the Constitution of India seeking protection of life and liberty of the petitioners, who claim themselves to be major.

[2] It is pleaded that the petitioners are known to each other. Petitioner No.1 after leaving her parents' home has joined the company of petitioner No.2, who is yet not of marriageable age. The decision of the petitioners is not to the liking of the private respondents and they have been threatened with dire consequences. The petitioners have submitted representation dated 18.09.2023 (Annexure P-3) to the Senior Superintendent of Police, Chandigarh – respondent No.2, but to no avail.

[3] Notice of motion to respondent Nos.1 to 3 only at this stage.

[4] Mr. Vivek Singla, Addl. PP, UT Chandigarh, accepts notice on behalf of the respondent Nos.1 to 3 and waives service.

[5] Heard learned counsel for the parties.

[6] A perusal of the record would go to show that the representation was sent through courier on 18.09.2023 at 11.16 a.m., the present petition was also drafted on 18.09.2023, which is supported by respective affidavit of the petitioners attested on the same day at Chandigarh

and was instituted on 18.09.2023 at 12:00 noon. At the time of institution of the petition, the said representation would have apparently been in transit. The present petition is *prima facie* premature, as petitioners have approached this Court without even waiting for their representation to reach the concerned quarter.

[7] Faced with the above, learned counsel for the petitioners prays for liberty to pursue the representation and states that the petitioners would be satisfied if a direction is issued for expeditious disposal of the said representation, at this stage. It is also submitted that till today, no action has been taken on the said representation.

[8] In the meanwhile, without expressing any opinion on the merits of the case or commenting thereon, a direction is issued to Senior Superintendent of Police, Chandigarh-respondent No.2, to examine the matter in the backdrop of representation dated 18.09.2023 (Annexure P-3), and in case there is any threat perception to the petitioners from respondent Nos.4 to 8, to act in accordance with law and if need be, to provide them interim protection.

[9] It is made clear that this order shall not be taken to validate the alleged relationship between the petitioners or protect them from legal action for violation of law, if any, committed by them.

September 20, 2023

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(VIKAS SURI)
JUDGE

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