

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

208

**CRWP-11334-2022 (O&M)
Decided on : 22.02.2023**

Kulwinder Pal and another

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Nitin Sharma, Advocate for the petitioners.

Mr. J. S. Arora, DAG, Punjab.

Mr. Vinay Kumar Gupta, AAG, Punjab

SANJAY VASHISTH, J. (Oral)

Instant petition was filed by petitioners i.e. Kulwinder Pal, aged about 27 years and Kuljit Kaur, aged about 26 years, for issuance of a writ in the nature of mandamus directing respondents No. 2 and 3 for providing protection to the lives and liberty of the petitioners, which is at imminent danger at the hands of private respondents No. 4 and 5.

After hearing the Counsel, vide order dated 06.12.2022, notice of motion was issued and interim direction was passed by Co-ordinate Bench of this Court.

Said order dated 06.12.2022 says as under:

*“Present petition has been filed by the petitioner seeking directions to respondents No.2 and 3 to provide protection to their life and liberty. Counsel for the petitioner submits that the petitioners, both of whom are major, have performed marriage against the wishes of parents of petitioner No.2 who are extending threats and in this regard, representation (Annexure P-5) has been given to respondent No.2 but the police authorities have not taken any action against the private respondents.
Notice of motion.*

Ms. Kanica Sachdeva, AAG, Punjab accepts notice on behalf of the State who prays for time to seek instructions and to file reply.

Mr. Kapil Khanna, Advocate has put in

appearance on behalf of respondents No.4 and 5 and prays for time to file reply.

List on 22.2.2023.

In the meantime, respondent No.2 is hereby directed to look into the matter and if there is any threat perception, then to provide interim protection to the petitioners if the situation so warrants and to submit its report in this regard by the next date fixed in the present petition.”

Learned counsel for the petitioners states that in compliance to the interim direction issued to respondent No. 2-Senior Superintendent of Police, Kapurthala, respondent No. 2 has provided interim protection to the petitioners.

Today, learned State counsel on instructions from ASI Ragbinder Singh (who is present in the Court), states that statements of both the petitioners as well as private respondents No. 4 and 5 have been recorded by the police.

Learned State counsel has read out the statements of the petitioners and private respondents No. 4 and 5, recorded by the police. According to the said statements, private respondents have executed their affidavits that they will not cause any hindrance in the private life of the petitioners. Petitioner have also given their statements that as of now, they do not have any apprehension against their lives and also have no threat perception from the private respondents.

Learned State counsel placed on record the copy of statements of petitioners as well as private respondents No. 4 and 5 and same are taken on record as Annexures R-1 and R-2. . Registry is directed to tag the same at appropriate place.

In view of the statements of the petitioners as well as private respondents No. 4 and 5, no issue is left for this Court to decide in the present petition, therefore, same stands disposed of.

Disposed of.

(SANJAY VASHISTH)
JUDGE

22.02.2023

Riya

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