

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No.243)

LPA No.1600 of 2023

Date of decision: 11.12.2023

Jashanpreet Kaur and another

..... Appellants

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present : None for the appellants.

Mr. Ramandeep Singh Pandher, Sr. DAG, Punjab.

Mr. Sourav Dhir, Advocate for respondent No.4.

* * *

DEEPAK SIBAL, J. (Oral)

(1) Through a writ petition filed before this Court the appellants had sought protection of their life and liberty which they feared to be endangered at the hands of the private respondents. A learned Single Judge of this Court found no cogent proof of any threat to the appellants and accordingly, dismissed their writ petition. Hence, the present intra Court appeal.

(2) On 03.11.2023, a Coordinate Bench of this Court had passed the following order :-

“Learned counsel for the appellants submits that appellant No.1 is 23 year old married lady while appellant No.2, who is 31 year old, is unmarried. Appellant No.1 has been separated from her husband for the last 05 years and is in live-in relationship with appellant No.2. The appellants have been threatened by the private respondents and therefore, they are entitled to protection of their life and liberty in terms of Article 21 of the Constitution of India. In

support of his submission, he has relied upon the judgments of this Court in the cases of **Rajwinder Kaur and another versus State of Punjab and others, 2014(4) RCR (Criminal) 785, Parwinder Kaur and another versus The State of Punjab and others**, bearing LPA No.603 of 2021, decided on 20.07.2021 and **Ishrat Bano and another versus State of Punjab and others**, bearing LPA No.769 of 2021, decided on 03.09.2021.

Issue notice to the respondents.

At the asking of the Court, Mr. Sarabjit Singh Cheema, DAG, Punjab, accepts notice on behalf of respondents No.1 to 3 and prays for time to seek instructions and file reply.

List on 11.12.2023.

In the meantime, respondent No.2-Senior Superintendent of Police, Batala shall look into the matter and take steps, if necessary, to protect the life and liberty of the appellants.”

(3) In pursuance to the afore quoted order an affidavit has been filed on behalf of the State as per which after investigating the matter the State has found that there was no threat perception to the appellants.

(4) In the light of the afore stand taken by the State, no further orders are required to be passed in the instant appeal and the same is hereby disposed of.

(5) It is clarified that in case in future the appellants face any threats at the hands of the private respondents, they are at liberty to approach the local police authorities who are directed to investigate such complaint(s) and then take action thereupon, in accordance with law.

(DEEPAK SIBAL)
JUDGE

11.12.2023
sunil yadav

(SUKHVINDER KAUR)
JUDGE

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