

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-948-2024
DECIDED ON: 06.03.2024

BRAJESH KUMAR AND ANR.PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: None for the petitioners.

Mr. Rajiv Verma, DAG Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. This is a petition under Article 226/227 of the Constitution of India for issuance of a direction to respondents No.2 to 4 to protect the life and liberty of the petitioners by providing adequate protection to the petitioners and also directing the respondents No.5 to 9 not to interfere in the personal lives and liberty of the petitioners.
2. This Court on 01.02.2024 called upon for a status report from the Senior Superintendent of Police, Pathankot, who has produced the same by way of an affidavit dated 04.03.2024, wherein para 5 to 9 read as under:-

“5. That as per the report, the following points have come on record. which are mentioned here in below for the kind perusal of this Hon'ble Court:-

(a) That from the inquiry conducted in a secret as well as declaratory way and statements recorded, it has been found that petitioner No. 1 Brajesh Kumar is resident of Village Nagla Natthu, Police Station Etmad Pur, Post Office Chauhan District Agra, Uttar Pradesh and Petitioner No. 2 namely Kajal is resident of village Chaleshar, District Agra, Uttar Pradesh, that as per the Aadhar card of Brajesh Kumar his

date of birth is 04.04.2002 and as per the Aadhar Card of Kajal her date of birth is 09.08.2003.

(b) That both of them are in love relationship from the last 5 years and wanted to get married, but family members of Kajal were not agreeing. That about 3-4 months back Brajesh Kumar was travelling in train from Agra to Delhi, then he met Ajay Singh resident of Makkhanpur, District Pathankot. Both of them exchanged numbers with each other, that Ajay Singh also got married and took protection from Hon'ble Punjab and Haryana High Court, Chandigarh, Ajay Singh told Brijesh Kumar about his love marriage and called him to Gujarat and after making them talk to Advocate, sent both of them to Chandigarh and Advocate got their Marriage done on 28.01.2024.

(c) That to file a petition for protection before the Hon'ble Punjab and Haryana High Court, Chandigarh, a residence proof was required, thus, Ajay Singh gave his Aadhar Card and got stated the address of both the petitioners as present resident of Village Makhanpur, District Pathankot. That from the statement of Surinder Singh (father of Ajaya Singh) and Darshana Devi (Sarpanch), Makahnpur, and from the statements of Brajesh Kumar and Kajal it has been found that petitioner never visited Village Makhanpur, District Pathankot, Punjab.

(d) That the inquiry officer went to Noida and recorded the statement of both the petitioners, whereby they refused to take any protection and also stated that they do not have threat from respondent No. 5 to 9 in Punjab and they do not want any police protection. That petitioner No. 02 stated in her statement that Respondent No. 05 to 09 not be called to Punjab at all.

(e) That from the inquiry conducted it was found that petitioners do not face any threat to their life and liberty. Thus, it was recommended that there is no need to take any action on the subject matter of present petition and the same be consigned to record room.

6. That agreeing with the above said report of the Deputy Superintendent of Police, Sub-Division Rural, District Pathankot, the

Senior Superintendent of Police, Pathankot ie. deponent, approved the report and the same was consigned to record room, in accordance with law. That the copy of the Report is annexed herewith as Annexure R-1/T.

7. That the statement of petitioner's and father of Ajay whose address was provided by petitioner in the petition as their present address was recorded and the same is annexed as Annexure R-2/T to R-5/T.

8. That it is submitted that further the petitioners have been provided with the phone numbers of Deputy Superintendent of Police, Sub-Division Rural, District Pathankot, Station House Officer, Police Station Narot Jaimal Singh, District Pathankot and Control Room, Pathankot, so that in case of any emergency, they can directly contact on the said numbers and their grievance if any can be dealt with on priority basis, if any threat received from private Respondents during their stay/visit in Pathankot, Punjab.

9. That it is pertinent to mention here that report in regard to the representation attached as Annexure P-7 with the present petitioner was obtained from the PC, Branch, Pathankot and as per the report, it was found that no such representation was received in the office of the Senior Superintendent of Police, Pathankot as stated in the present petition”.

3. This Court is duly convinced that no threat perception exists to the lives and liberty of the petitioners, who themselves have made a statement before the police authorities with regard to the same. Hence, this petition does not warrant any order or inference whatsoever from this Court and the same is ordered to be dismissed being devoid of merits.

06.03.2024

Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>