

Neutral Citation No. 2024:PHHC:070596

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

CRWP-2809-2023 (O&M)

Date of decision : 18.05.02024

Neeraj

...Petitioner

Versus

State of U.T., Chandigarh and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Samar Pratap Singh Ahluwalia, Advocate
(Legal Aid Counsel) for the petitioner.

Mr. Ankur Bali, Addl. P.P., U.T., Chandigarh.

MANISHA BATRA, J.(Oral)

1. The present petition has been filed by the petitioner under Article 226 of the Constitution of India seeking issuance of direction to the official respondents to protect the life and liberty of herself as well as her son at the hands of respondent No.3, who is her husband, and to decide the complaint dated 13.02.2023 (Annexure P/4) submitted by her in this regard.

2. In pursuance of order dated 23.03.2023, a status report had been filed by the respondent-U.T., Chandigarh, which is available on record. It is submitted in the status report that a thorough enquiry was conducted on the aforesaid complaint of the petitioner and since the allegations levelled by the petitioner were found false and baseless, the complaint was filed on the recommendation of the enquiry officer. It is also submitted that the petitioner has also filed a complaint before the Court under the provisions of

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Protection of Women from Domestic Violence Act, which is pending adjudication. Hence, learned Addl. P.P., U.T., Chandigarh has urged for dismissal of the petition.

3. Learned counsel for the petitioner could not dispute the aforesaid facts and has submitted that a direction may be issued to protect the life and liberty of the petitioner and her son at the hands of respondent No. 3.

4. In view of the aforesaid facts and circumstances, the present petition is disposed of. However, in case the petitioner feels any manifest threat to the life and liberty of herself and her son, she will be at liberty to approach respondent No. 2-SHO, Police Station 39, Chandigarh, who will take necessary action in that regard, in accordance with law.

18.05.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

Yes