

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.3093 of 2024

Date of decision: 8th April, 2024

Annu & another

... Petitioners

Versus

State of Haryana & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Aanand K. Maurya, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus seeking directions to the official respondents to protect the life and liberty of petitioner No.1 aged 17 years, 3 months & 20 days and petitioner No.2 aged 23 years, at the hands of private respondents.

2. Learned counsel inter alia contends that the petitioners have been in a live-in relationship since 29.03.2024 which has not gone down well with the private respondents, who are parents of petitioner No.1. Learned counsel submits that a representation (Annexure P-3) dated 02.04.2024 had also been given to respondent No.2 – Superintendent of Police, Hansi, however, it had proved to be in vain.

3. On a pointed query put to the learned counsel as to whether any criminal case stands registered against petitioner No.2 with respect

to abduction/kidnapping/missing of petitioner No.1, he has feigned ignorance about the same.

4. Notice of motion to the official respondents.

5. At the asking of Court, Ms. Trishanjali Sharma, Dy. Advocate General, Haryana accepts notice on behalf of the said respondents.

6. At the outset, learned State counsel has opposed the prayer and submissions made by the counsel opposite for extending protection to the life and liberty of the petitioners. She, on instructions, has informed the Court that an FIR No.171 dated 25.03.2024 under Sections 366A, 363 of the IPC stands registered against petitioner No.2 at Police Station City Hansi. She has submitted that the petitioner No.2 is an accused in the said case, and an accused of a criminal case cannot be granted protection by any Court of law.

7. I have heard learned counsel for the parties and perused the relevant material on record.

8. This Court would loathe to accept the prayer of learned counsel for the petitioners. It needs to be clarified and emphasized that a person, who is accused in a criminal case, cannot be given the benefit of protection, much less under Articles 226/227 of the Constitution of India. The petition, as such, stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

April 8, 2024
rps

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