

126 (THROUGH VIDEO CONFERENCING)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-3245-2024
Date of Decision: 10.04.2024

Abhishek Kumar and another ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON’BLE MR. JUSTICE HARSH BUNGER

Present : Ms. Harpreet Maini, Advocate
for the petitioners (through video conferencing).

HARSH BUNGER, J. (ORAL)

1. By way of this petition, the petitioners seek protection of the life and personal liberty, which is allegedly threatened at the hands of respondents No.4 to 12.
2. In the context of threat perception at the hands of private respondents No.4 to 12, the petitioners have already moved representation dated 08.04.2024 (Annexure P-3) to respondent No.2- Senior Superintendent of Police, District Barnala, wherein, the apprehension to their life and liberty has been expressed; however, it is stated that no action has been taken.
3. Notice of motion at this stage only to the official respondents is being issued.
4. On asking of the Court, Ms. Manjot Kaur, AAG, Punjab, who is present in court, accepts notice on behalf of State-respondents No.1 to 3.

5. Given the nature of the order being passed, there is no necessity to seek any response by the official respondents or even to serve the private respondents.

6. Having heard learned counsel for the petitioners, as also the learned State counsel, I am of the considered view that every citizen is entitled to protection/enforcement of fundamental rights as envisaged under Constitution of India. It is the bounden duty of the State to protect the life and liberty of every citizen as enshrined under Article 21 of the Constitution of India.

7. Learned counsel for the petitioners submits that the petitioners will be satisfied, at this stage, in case a direction is issued to respondent No.2 i.e. Senior Superintendent of Police, District Barnala to look into the representation dated 08.04.2024 (Annexure P-3).

8. In response, learned State counsel submits that he has no objection to the said course of action and states that the claim/grievance of the petitioners shall be looked into by the respondent authorities.

9. In view of above, without expressing any opinion on the merits of the case or the claim being made by the petitioners in the representation, respondent No.2-Senior Superintendent of Police, District Barnala; is directed to look into the representation dated 08.04.2024 (Annexure P-3) *qua* threat perception, if any, and take necessary steps, if any required, in accordance with law, to ensure that life and liberty of the petitioners are not jeopardized at the hands of private respondents.

10. However, this order shall also not be taken to protect the petitioners from legal action for violation of law, if any, committed by them

CRWP-3245-2024

and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

11. Present petition stands disposed of.

April 10, 2024
Himani

(HARSH BUNGER)
JUDGE

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