



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

266

CRWP-10003-2024

Date of decision: 22.10.2024

Bhupinder Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bhupinder Singh, Advocate
for the petitioners.

Mr. Shiva Khurmi, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus seeking directions to the official respondents to protect the life and liberty of the petitioners at the hands of private respondents.
2. Mr. Vaibhav Goel, Advocate and Mr. Navnoor Singh Gill, Advocate have entered appearance and filed their joint power of attorney on behalf of respondents No.4 and 5 which is taken on record.
3. Short reply by way of affidavit of Jasbir Singh, PPS, Deputy Superintendent of Police, Sub Division Dera Baba Nanak, Police District Batala, on behalf of respondents No.1 to 3, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.
4. Learned State counsel has submitted that an FIR No.74

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dated 12.10.2024 under Sections 96/137(2) of the BNS, 2023 has been registered against petitioner No.1 at Police Station Kotli Mallian, at the instance of respondent No.4, who is father of petitioner No.2, a minor. It has also been asserted by the learned State counsel that since petitioner No.2 is a minor, her consent is of no consequence. Furthermore, learned State counsel has submitted that in the aforementioned facts and circumstances, since petitioner No.1 is an accused of offences under Sections 96/137(2) of the BNS, 2023, he cannot be granted protection by this Court. Learned State counsel has, thus, prayed for dismissal of the instant petition.

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

6. In the facts and circumstances as enumerated hereinabove, moreso when petitioner No.1 is an accused and an FIR stands registered against him, for the kidnapping of his minor daughter, at the behest of father of petitioner No.2, no ground is, therefore, made out to issue directions as prayed for. The instant petition stand dismissed accordingly.

22.10.2024

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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