CRWP No. 10201 of 2024

134 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

CRWP No. 10201 of 2024
Date of Decision: 22.10.2024

Manpreet Kaur and another ...Petitioners

Versus

State of Punjab and others …Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Munish Bhardwaj, Advocate
for the petitioners.

Ms. Swati Batra, D.A.G., Punjab.

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ANOOP CHITKARA, J.

Apprehending threat to their lives and liberty at the hands of the private respondents, the petitioners, who claim to be married, after crossing eighteen years of age, have come up before this Court by invoking their fundamental rights of life guaranteed under Article 21 of the Constitution of India, seeking direction to the State to protect them from the private respondents.

2. Notices served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.

3. If the allegations of apprehension of threat to their lives turn out to be true, it might lead to an irreversible loss. Thus, in the facts and circumstances peculiar to this case, it shall be appropriate that the concerned Superintendent of Police, SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to the petitioners for one week from today. However, if the petitioners no longer require the protection, then at their request it may be discontinued even before the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of the petitioners.

4. The protection is subject to the stringent condition that from the time such protection is given, the petitioners shall refrain from attending parties, bars, picnics or any area that may pose a risk to their life. The SHO should send police officer(s) to

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petitioners' home to assess the required level of security. Once the assessment is done, the officer should provide adequate security without the petitioners having to contact them.

5. It is clarified that if the petitioners visit any disputed place and the security officer becomes aware of it, they should advise the petitioners to avoid going there. If the petitioners still insist on going, the officer has the right to return to the police station due to petitioners' defiance of the order.

6. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the petitioners are required in any cognizable case. It shall also be open for the petitioners to approach this Court again in case of any fresh threat perception.

7. ***This order shall eclipse after fifteen days from today.***

8. There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

22.10.2024
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.

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