

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(264)

CRWP-11603-2023

Date of Decision:-12.03.2024

Sunil Kumar and Anr.

.....Petitioners

Versus

State of Haryana and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: None for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana
assisted by ASI Govind Parsad.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus to direct the official respondents for the protection of life and liberty of the petitioners at the hands of private respondents.
2. Mr. Shailender Singh, Advocate has put in appearance on behalf of respondents No.4 to 6 and filed his *vakalatnama*, which is taken on record.
3. Learned State counsel has submitted that, in fact, petitioner No.1 has been arrested by invoking the provisions of POCSO Act and the counsel for respondents No.4 to 6 has also placed on record the copy of school certificate, birth certificate and the Aadhar Card to demonstrate that the date of birth of petitioner No.2 is 01.01.2008 but the same has been manipulated, forged and fabricated by mentioning the date of birth as 13.06.2004 of petitioner No.2 in the present petition.

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4. Though it is a matter of serious concern, however, since petitioner No.1 already stands arrested and the authorities have already proceeded in accordance with law, no further orders are required to be passed as there is no threat to the life and liberty of the petitioners.

5. Needless to say that the State is duty bound to protect the life and liberty of its citizens.

6. Accordingly, the present petition is dismissed.

7. It is made clear that filing or pendency of this petition or any order/direction passed in this petition shall not be a alibi or defence to the petitioners, in case, they are found involved in any illegal activity and/or in violation of any law qua which the respondent-Authorities shall take appropriate action, in accordance with law.

(ALOK JAIN)
JUDGE

March 12, 2024

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Whether speaking/reasoned:- Yes/No

Whether Reportable:- Yes/No