



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

CRWP-4248-2024 (O&M)

Date of Decision:- 15.01.2025

YAKSHITA ARORA AND OTHERS

....Petitioners

Vs.

STATE OF UT CHANDIGARH AND ORS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Tushar Arora- petitioner No.4 in person and on behalf of remaining petitioners.

Mr. Manish Bansal, PP, U.T., Chandigarh.

AMARJOT BHATTI, J.

1. Petitioners Yakshita Arora and others have filed criminal writ petition under Article 226/227 of Constitution of India for issuance of writ in the nature of mandamus directing official respondent Nos.2 and 3 to protect life and liberty of petitioners from the hands of private respondent Nos.6 to 17 since petitioner No.1 is the complainant in FIR No.23 dated 13.04.2024 Police Station Women Cell, Sector-17, Chandigarh and respondent No.6 is her husband or for any direction which the Court may deem fit in the given facts and circumstances of the case.

2. Learned counsel for petitioners confirmed that she got married with respondent No.6 whereas petitioner No.2 is their minor child and petitioner Nos.3 to 5 are her relatives. She got married on 16.01.2022. She

gave birth to a daughter on 21.06.2023. However, respondent No.6 and his family members were expecting a baby boy. Private respondents turned out to be greedy and selfish persons. They treated her with physical and mental cruelty, as a result she was ultimately turned out of the matrimonial home after a period of about 1 year 7 months of marriage. Petitioners have given detail of litigations which started between parties i.e. petition under Section 9 of Hindu Marriage Act filed by respondent No.6, another petition filed by petitioner No.1 for transfer of her case from Family Court, Budhlada to Family Court, Chandigarh, criminal complaint filed before SSP, Chandigarh which was forwarded to Women Cell, Chandigarh on 06.10.2023 and another petition under Section 125 of Cr.P.C.

3. Learned counsel for petitioners pointed out that respondent No.6 is a person of quarrelsome nature having illegal weapons, therefore, safety of petitioners is in danger from the hands of respondent Nos.6 to 17. Petitioners further claimed that no proper investigation is being carried out in the complaint filed by her. Hence the petition.

4. Detailed status report has been filed opposing the petition filed by petitioners taking the stand that no proper investigation is being carried out. In-fact, petitioner No.1 is not cooperative in the course of investigation as she did not appear despite process issued to her from time to time. Other petitioners are also not cooperative. It is further pointed out that there is no threat perception. Therefore, present criminal writ petition has been filed without any basis.

5. I have considered the facts of the case and the stand taken by the petitioners as well as official respondents. It is not disputed that

matrimonial dispute is going on between petitioner No.1 and her husband respondent No.6, as a result of this various cases have been filed by both the sides against each other and the same are pending. It is further not disputed that matter is under investigation in FIR No.23 dated 13.04.2024 Women Police Station, Sector-17, Chandigarh under Sections 406, 498-A of IPC. Petitioners are residents of Chandigarh whereas respondent Nos.6 to 17 are resident of village Bareta, Tehsil Budhlada, District Mansa, Punjab. Learned counsel for petitioners has also annexed some of the photographs (Annexure P-6) allegedly of Angrez Singh husband of petitioner No.1 displaying weapon, etc.

6. Considering the aforesaid factual position, it cannot be said that apprehension in the minds of petitioners is without any basis. It is the duty of police to safeguard the life and liberty of petitioners in case of any threat perception. Therefore, present criminal writ petition is disposed of with directions to the official respondents that in case petitioners approach the Authorities regarding any threat perception from respondent Nos.6 to 17 then appropriate steps will be taken considering threat perception. It is made clear that this order will have no bearing regarding investigation in the FIR or other litigations filed by petitioners and private respondents against each other.

7. Petition is, accordingly, disposed of.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

15.01.2025

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No