

(2022) 07 P&H CK 0068

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 6800 Of 2022 (O&M)

Kajal And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 18-07-2022

Acts Referred:

Constitution Of India, 1950 — Article 21

Citation : (2022) 07 P&H CK 0068

Hon'ble Judges : Anoop Chitkara, J

Bench : Single Bench

Advocate : Amit Khari, Harsimar Singh Sitta

Final Decision : Allowed

Judgement

Anoop Chitkara, J

1. Fearing for their lives and liberty at the hands of the private respondents, the petitioners who claim to have married after attaining the permissible age for marriage, against the wishes of the private respondents, 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.

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. This order is subject to the condition that from the time such protection is granted, the petitioners shall not flaunt it and shall avoid visiting areas where there may be a threat to their lives according to their perception.

5. 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 is required in any cognizable case. It shall also be open for the petitioner(s) to approach this Court again in case of any fresh threat perception.

6. 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.