

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

210

**CRWP No. 87 of 2023
Date of Decision: 01.08.2023**

Pawan Kumar and another ...Petitioners
Versus
State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vipin Kumar, Advocate for the petitioners.
Mr. Karunesh Kaushal, AAG, Punjab.
Mr. J.S. Ghumman, Advocate for respondents No. 5 to 10.

ANOOP CHITKARA, J.

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Mandamus directing respondent No. 2 to protect the life, liberty and property of the petitioners from the hands of respondents No. 3 to 10.

2. Counsel appearing for the private respondents submits that parties happen to be in blood relations and on instructions states that the petitioner have nothing to fear from them and their apprehension of threat is not only misconceived but it is also insulting to them. He further undertakes that there is no threat perceptions at all.

3. At this stage, counsel for the petitioners submits that he would be contended and satisfied in case, he be permitted to file a fresh representation and the said representation be decided in a time bound manner.

4. Let the petitioner represent the concerned Senior Superintendent of Police/ Commissioner of Police, within two weeks from today. If the petitioner files a representation with in the above-mentioned time period of two weeks, then, the same shall be decided by the concerned Senior Superintendent of Police/ Commissioner of Police, within two months, either himself/herself or by authorizing and delegating it to any officer holding IPS cadre. It is clarified that such order must be a reasoned order, and the same be communicated to counsel for the petitioners as well as representationists without delay.

5. Liberty reserved to the petitioners to file fresh petition or to take other legal remedies in accordance with the law.
6. It is clarified that there is no adjudication on merits. 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.
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 Petitioners 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

01.08.2023
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.