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

CRM-M No.20074 of 2017

Date of Decision: 31.05.2017

SOMA RANI AND ANOTHER

.....Petitioners

Vs

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Manu Loona, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

In this petition, petitioners have prayed for issuance of necessary directions to the official respondents to protect their lives and personal liberties from being invaded by the private respondents. Petitioners claimed themselves to be major and have contracted marriage on 26.05.2017 according to their own sweet will, but against the wishes of their family members. Marriage certificate (Annexure P-3) and photographs of marriage (Annexure P-4) are sought to be pressed into service in order to project validity of marriage.

Learned counsel for the petitioners submitted that earlier petitioner No.1 was married to Harjit Singh son of Rulda Singh and both of them had taken Panchayti divorce. Petitioner

No.2 was earlier married, but his wife died on 02.08.2016 on account of cancer. The two daughters born from the earlier marriage are living with the petitioners.

In the context of threat perception at the hands of private respondents, petitioners have prayed for necessary directions for safeguarding their personal civil and legal rights.

In the aforesaid context, petitioners have allegedly moved representation dated 26.05.2017 (Annexure P-5) to Senior Superintendent of Police, District Fazilka.

Notice of motion to respondents No.1 to 3.

On the asking of the Court, Mr. Shilesh Gupta, Addl., A.G., Punjab accepts notice on behalf of State-respondents No.1 to 3.

At this juncture, this Court is not in a position to comment upon the validity of divorce, marriage between the petitioners and majority of the petitioners in terms of their respective ages, however, since representation has already been filed before respondent No.2, I deem it appropriate to direct him/her to look into the grievance of the petitioners in respect of protecting their lives and personal liberties from being infringed by the private respondents.

Respondent No.2 would be at liberty to devise his/her own mechanism to ascertain the truth. He/she would also be at

liberty to join the petitioners or any other person acquainted with facts in issue. In case respondent No.2 finds that there is a positive threat perception *qua* the lives and liberties of the petitioners, then he/she shall proceed to take appropriate action in accordance with law.

The aforesaid order is being passed at this stage without meaning anything on the merits of the case. Respondent No.2 would pass necessary order without being influenced by any observation made by the Court in terms of pleadings at this stage. This order shall not debar the official respondents from proceeding against any of the party in accordance with law in case they are involved in some other case. It would be appreciated if the representation filed by the petitioners is decided within a period of one month from today keeping in view the threat perception shown by the petitioners.

Petition stands disposed of accordingly.

May 31, 2017

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No