

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM No.M-6102 of 2017
Date of decision:27.2.2017

Komal Sharma and another	... Petitioners
versus	
State of Punjab and others	... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Sumeet Puri, Advocate, for
Mr.S.N.Sharma, Advocate,
for the petitioners
Mr.K.S.Pannu, DAG, Punjab
Mr.Jai Singh Yadav, Advocate,
for respondents no.4 to 6
...

AMOL RATTAN SINGH, J. (Oral)

This petition first came up for hearing on 22.2.2017 but with the petitioners not present in Court, learned counsel for the petitioners had requested that it be adjourned to some other date stating that the petitioners were scared of coming to Court on an apprehension that respondents no.4 to 7, i.e. the parents and relatives of petitioner no.1, were present in the High Court, and as such the fear of the petitioners was that they might be put to any harm or threat at the hands of the aforesaid respondents.

The matter having come up for hearing again on 23.2.2017, with the petitioners still not present, notice had been issued, returnable on 27.2.2017. On the asking of the Court, Mr.S.S.Sandhu, learned AAG, Punjab, accepted notice on behalf of respondents no.1 to 3, and Mr.Lajpat Sharma, Advocate, appeared and accepted notice on behalf of respondents no.4 and 5.

A direction had been issued to the Senior Superintendent of

Police and the SHO concerned, to bring the petitioners under escort to this Court on the next date of hearing.

Today, learned counsel for the petitioners, as also Mr.K.S.Pannu, learned DAG, Punjab, submit that the petitioners are not contactable as even their mobile phones are switched off and therefore, the police is clueless with regard to their whereabouts.

On a specific query, learned counsel for respondents no.4 to 6 submits that petitioner no.1 is an adult and therefore, is of legally marriageable age and is not in any prohibited relationship with petitioner no.2.

Keeping in view the above, even while making no comment on the validity of the marriage, because other than the photographs annexed with the petition, showing the petitioners present in the Gurudwara with a “Granthi” reading from Sri Guru Granth Sahib, there is no evidence as to whether the petitioners have been married or not.

However, since protection of life and liberty is a fundamental right of every citizen enshrined in Article 21 of the Constitution of India, this petition is disposed of with a direction to respondents no.2 and 3, i.e. the Senior Superintendent of Police, Sangrur, and the SHO, Police Station Dharamgarh, District Sangrur, to ensure that the life and liberty of the petitioners is protected, within the four corners of law.

27.2.2017
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No