

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48725-2018 (O&M)

Date of Decision:- 1.11.2018

Rajinder Kaur and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Benti Kaur, Advocate for the petitioners.

GURVINDER SINGH GILL, J. (Oral)

Petitioners Rajinder Kaur, aged 39 years and Lachhman Singh Uppal @ Laxman Singh Upal, aged 79 years have approached this Court seeking protection of their life and liberty as they apprehend threat to the same at the hands of respondent No.4 and her family.

It is stated in the petition that while petitioner No.1 is a widow, petitioner No.2 is a widower and that they had found support in each other as a life partner and had solemnized marriage on 30.10.2018. A Marriage Certificate to the said effect is annexed as Annexure P-3. It is further stated that the said marriage was however performed against the wishes of previous in-laws of petitioner No.1 and other relatives who did not approve of the said marriage.

While petitioner No.1 is stated to be residing in India, petitioner No.2 is stated to be a citizen of United States of America. Learned counsel has however informed that although petitioner No.2 is presently citizen of United States of America but he was born in India and was originally a citizen of India. In any case, even if petitioner No.2 is presently a citizen of United States of America, still it is the duty of the State to ensure that even citizens of other country, visiting this country are not harmed, in any manner.

Since both the petitioners have performed a marriage, therefore, they certainly have right to live as per their wishes. The petition, as such, is disposed of with a direction to Senior Superintendent of Police, Jalandhar to look into the representation dated 30.10.2018 (Annexure P-5) made by petitioners, in accordance with law, immediately upon receipt of certified copy of this order. In case any serious apprehension of threat to the life and liberty of the petitioners is found, requisite steps be taken immediately, in accordance with law, to protect life and liberty of the petitioners.

However, the aforesaid order shall not be taken to be any expression regarding validity of the alleged marriage of the parties.

November 1, 2018
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No