

**In the High Court of Punjab and Haryana, at Chandigarh**

**Criminal Misc. No. M-2042 of 2019**

**Date of Decision: 17.01.2019**

Kashish Neb and Another

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Shekher Dhawan.**

Present: Mr. Suresh Kumar Arya, Advocate  
for the petitioner(s).

**Shekher Dhawan, J.**

Both the petitioners are present in the Court and are identified by their counsel.

Petitioners have sought protection of their lives and liberty, *inter-alia*, taking the plea that they performed the marriage with each other, whereas private respondents are not accepting their marriage and now they are apprehending danger to their lives and liberty from private respondents. Learned counsel for the petitioners contended that the petitioners performed marriage on 15.01.2019.

Petitioners have also taken the plea that they are major and have performed their marriage with free will.

Notice of motion.

On the asking of the Court, Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab, accepts notice on behalf of respondents No.1 to 3. A complete copy of paper-book be provided to them during the course of the day.

Mr. Davinder Gujral, Advocate, who is present in the Court, has put in appearance on behalf of respondents No.4 to 11 and filed his

memorandum of appearance on their behalf. Learned counsel contended that private respondents have no objection to the marriage performed by the petitioners.

Having considered the submissions made by learned counsel for the petitioners as well as learned counsel for respondents No. 4 to 11 and perusal of record, respondent No.2-Senior Superintendent of Police (Rural), Police District Batala, District Gurdaspur, is directed to consider the representation dated 15.01.2019 (Annexure P5) and issue necessary orders, as warranted by law, so as to ensure that no harm is caused to the life and liberty of the petitioners at the hands of private respondents.

However, it is also made clear that this order shall not be taken to validate the alleged marriage of the petitioners or entitle them for any protection against their arrest or continuance of any criminal proceedings, if they are found involved in the commission of any cognizable offence. In case, the petitioners had committed any offence, the law will take its own course.

With the aforesaid observations made and directions issued, the present petition stands disposed of.

**(Shekher Dhawan)**  
**Judge**

**January 17, 2019**  
**“DK”**

|                           |          |
|---------------------------|----------|
| Whether speaking/reasoned | : Yes/No |
| Whether reportable        | : Yes/No |