

111

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

CWP No.29509 of 2019

Date of Decision: 09.10.2019

KIRANDEEP AND ANOTHER

.....Petitioners

Vs

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: Petitioners in-person along with
Ms. Vikram Singh Chahal, Advocate.

RAJ MOHAN SINGH, J.(Oral)

At the very outset, learned counsel for the petitioners states that due to some typographical error the name of husband of the petitioner No.1 has been mentioned as Santokh in place of Mandeep Chanchal (petitioner No.2). The error is inadvertent and the same be corrected in the memo of parties. Ordered accordingly.

In this petition, petitioners seek issuance of necessary directions to respondents No. 1 to 3 to protect their lives and personal liberties from being invaded by the private respondents No.4 and 5. Petitioner No.1 belongs to Sikh family, whereas petitioner No.2 is from Christian family. Petitioners claimed that

they have contracted marriage on 05.10.2019 according to Christian customs in the house of Father of Church namely Sarif Masih in the presence of witnesses namely Rani and Sandeep Chahal. Petitioners have claimed that their marriage is inter religion marriage. Marriage certificate i.e. Marriage Register Book (Annexure P-4) and photographs of marriage (Annexure P-5) are sought to be pressed into service in order to project validity of marriage.

Petitioner No.1 has no parents and she is living in the house of her maternal uncle. Petitioners have threat perception at the hands of private respondents and precisely for that reason, they have moved representation dated 06.10.2019 (Annexure P-6) to the SHO, Dera Baba Nanak, Punjab.

Notice of motion to respondents No.1 to 3.

On the asking of the Court, Mr. Rajesh Bhardwaj, Sr. D.A.G., Punjab accepts notice on behalf of State-respondents No.1 to 3.

At this stage, without commenting upon the validity of marriage and majority of the petitioners in terms of their respective ages, however, Senior Superintendent of Police, Batala/respondent No.2 can be asked to have a fair look on the grievance of the petitioners in order to ascertain veracity of allegations made by the petitioners.

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 some truth in the allegations 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.

October 09, 2019	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No