

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(121)

CWP-31433-2019

Date of Decision: October 31, 2019

Gudiya and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amandeep Singh Rai, Advocate for the petitioners.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the prayer of the petitioners is for protecting their life and liberty as they apprehend danger to the same at the hands of respondents No. 4 to 7.

As per the averments made in the petition, both the petitioners are of the age where, they can legally decide about their future prospects including choosing of their life partners and it has been alleged that the relatives of both the petitioners are objecting to their marriage.

Learned counsel for the petitioners argues that as the petitioners have solemnized marriage on 22.10.2019 against the wishes of their family members, they have apprehension that the private respondents, who are the family members of the petitioners, will cause harm to their life and liberty and hence, they need protection in this regard.

Learned counsel for the petitioners has drawn my attention to the representation dated 22.10.2019 (Annexure P-5) sent by the petitioners to respondent No. 2-Senior Superintendent of Police, District SAS Nagar, Mohali seeking protection of their life and liberty.

Issue notice to respondents No.1 to 3 only.

At the asking of the Court, Ms. Sunint Kaur, Assistant Advocate General, Punjab, accepts notice on behalf of respondents No.1 to 3.

Without making any observation on the merits of the case, especially in respect of the marriage performed by the petitioners, a direction is issued to respondent Nos. 2 and 3 to take appropriate decision on the representation, which the petitioners alleged to have made on 22.10.2019 (Annexure P-5), expressing apprehension about danger to their life and liberty at the hands of respondents No.4 to 7. In case any merit is found in the representation, the appropriate action shall be taken by respondents No. 2 and 3 to ensure that no harm is caused to the life and liberty of the petitioners at the hands of the private respondents.

It is clarified that this order shall not be treated as an approval of this Court about the marriage of the parties and no opinion with regard to the validity of the marriage has been expressed in this order.

The writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

October 31, 2019
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Whether speaking/reasoned: Yes
Whether reportable: No