

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-32759-2019

Date of Decision:-13.11.2019.

Laxmi Devi and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Raman Sihag, Advocate for the petitioners

SANJAY KUMAR, J. (Oral)

The petitioners seek a direction to the Police Authorities of the State of Punjab to act upon their representation dated 5.11.2019 (Annexure P-5) and provide protection to their lives and liberty. They apprehend a threat from respondent Nos.4 and 5, the brothers of the first petitioner, Laxmi Devi.

Mr. Tajinder Pal Singh Makkar, learned counsel, informed this Court that he was instructed to appear on behalf of respondent Nos.4 and 5. He further stated that the parents of the first petitioner and respondent Nos.4 and 5 wish to talk to her. Though the matter was passed over to enable the parents to do so in chambers, it did not materialise as respondent No.4, Pawan, the brother of the first petitioner, was stated to have had an emergency requiring medical attention.

Learned counsel for respondent Nos.4 and 5 thereupon

informed this Court that it would suffice if the first petitioner at least talks to her parents over the telephone. The first petitioner is present in person and states that she has no objection to conversing with her parents over the phone.

This Court is not concerned with the validity of the marriage allegedly performed by the petitioners or the issue as to whether the relations of the first petitioner approve of the same. The only point for consideration is whether the petitioners would be entitled to protection of their lives and liberty in the event there is any threat thereto. The State is duty bound to provide such protection under Article 21 of the Constitution, as both the petitioners are major being over 18 years of age. The petitioners are stated to have made representation dated 5.11.2019 (Annexure P-5) to the Senior Superintendent of Police, Fazilka, respondent No.2, airing their grievances in this regard.

The writ petition is accordingly disposed of directing respondent No.2 to take appropriate action, as warranted, in terms of the said representation and provide protection to the petitioners, if necessary.

No order as to costs.

(SANJAY KUMAR)
JUDGE

November 13, 2019.

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Whether speaking/reasoned:-

Yes

Whether Reportable:-

Yes / No.