

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

116

CRWP-1796-2019

Date of decision: 09.12.2019

Savita Kumari and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Jai Bhagwan, Advocate
for the petitioners with the petitioners in person.

ARUN KUMAR TYAGI, J (ORAL)

The petitioners have approached this Court seeking protection of their life and liberty on the averments that the petitioners, being major, performed marriage on 02.12.2019 at Shiv Durga Mandir, Village Ferozpur, Sector-19, Panchkula, as per Hindu rites and ceremonies against the wishes of respondents No.4 and 5 and the petitioners are apprehending threat to their life and liberty at their instance.

Notice of motion.

On asking of the Court, Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of respondents No.1 to 3. Copy of paper book has been supplied to learned State Counsel.

The petitioners are present in the Court and duly identified by their Counsel. On being questioned by the Court, the petitioners have admitted having solemnized marriage and reiterated their prayer as mentioned in the petition. As per the documents attached with the petition i.e. Aadhar Cards, petitioner No.1 is major but petitioner No.2 is found under age to perform marriage.

Learned counsel for the petitioners states that a representation dated 03.12.2019 (Annexure P-5) was made to the Senior Superintendent of Police, Mohali seeking necessary protection but no action has been taken so far in the matter.

Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to respondent No.2-Senior Superintendent of Police, Mohali to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-5) and take appropriate action for protection of their life and liberty as may be warranted by the circumstances.

However, it is clarified that in case any criminal case has been/is registered against petitioner No.2, then nothing in this order shall be construed as a bar to taking of appropriate action by the police authorities against him in respect thereof in accordance with law.

Registry is directed to send a copy of this order along with copy of the petition and above-said representation to respondent No.2-Senior Superintendent of Police, Mohali for requisite compliance.

09.12.2019

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No