

Sr.No.110

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

CRWP-2346-2020

Date of decision:03.03.2020

Harpreet Kaur and another

... Petitioner(s)

versus

State of Punjab and others

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. R.S.Mahal, Advocate
for the petitioners.

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Articles 226 /227 of the Constitution of India for issuance or writ seeking directions to respondents No.2 and 3 to protect the life and liberty of the petitioners from the hands of respondents No.4 to 9 and to provide security to the petitioners keeping in view the peculiar facts and circumstances of the case.

Learned counsel for the petitiones has *inter alia* argued that in the present case both the petitioners are major and they have married according to their own wishes and against the wishes of their families. He has stated that since they are major, they had a right to get married according to their choice. He has further stated that the private respondents are continuously threatening the petitioners and there is every apprehension that acute harm will be caused to the petitioners and therefore, has prayed for protection of the petitiones.

Notice of motion to the Advocate General, Punjab.

On asking of the Court, Mr. Ajay Pal Singh Gill, DAG, Punjab,

who is present in Court, accepts notice on behalf of the respondents No.1 to 3.

Learned counsel for the petitioner undertakes to supply a copy of the petition to the learned State counsel during the course of the day.

The petitioners have placed on record their Aadhar Cards (Annexures P-1 and P-2) and the petitioners have also produced on record copy of their marriage certificate and photographs (Annexure P-3 and P-4).

At this stage, Mr. Parshotam Lal Singla, learned counsel has caused appearance on behalf of mother of petitioner No.1 i.e. respondent No.5. Learned counsel for respondent No.5 has categorically submitted on instructions from respondent No.5, who is also present in Court that there is no threat on behalf of respondent No.5 and that the present petitions is therefore, misconceived. He has further submitted on instructions that so far as respondent No.4 is concerned, who is the father of respondent No.1 is living abroad and therefore, there is no threat perception from him as well. He has further submitted that respondent NO.6, who is the brother of petitioner NO.1 is also living abroad and therefore, there is no threat perception from him. Respondents No. 7 to 9 are sisters of petitioner No.1 and from them there is also no threat perception.

Heard.

Learned counsel for the petitioner submits that despite the fact that the father and brother of petitioner No. 1 are living abroad but there is definitely a threat perception from the brother-in-law of petitioner No.1.

Be that as it may, the subject matter which is confined to the present petition is only for the protection of the life and liberty of the petitioners, therefore, this petition is disposed of with a direction to

respondent No.2 – Sr. Superintendent of Police, Jalandhar, District Jalandhar, to asses the threat perception of the petitioners and thereafter, shall take steps if so required with regard to the protection of life and liberty of the petitioners in accordance with law. It is made clear that this order shall not be treated as a stamp of this Court regarding marriage of the parties.

3rd March, 2020
Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*