

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109

CRWP-3326-2020(O&M)

Date of Decision:02.06.2020

Varkha and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Kuljit Singh Bal, Advocate,
for the petitioners.**

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

CRM-W-273-2020

Prayer in this application filed under Section 482 Cr.P.C. is for exemption from filing the prescribed court fee.

Prayer for exemption of court fee on account of COVID-19 is accepted with the condition that the petitioners shall deposit the required court fee within a period of one month when the situation becomes normal from the COVID-19 effect.

CRWP-3326-2020

Prayer in this criminal writ petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of respondent No.4 to 6.

Learned counsel for the petitioners contends that the petitioners are major and have solemnized their marriage in accordance with law. However, the private respondents are not accepting their marriage and are adamant to separate them from each other by resorting to illegal means. Learned counsel further submits that in view of imminent danger to the life and liberty of the petitioners, they have moved a representation dated 27.05.2020(Annexure P-5) to respondent No.2-Senior Superintendent of Police, Police District Batala, District Gurdaspur.

Notice of motion to respondents No.1 to 3 only at this stage.

At the asking of the Court, Ms. Monika Jalota, DAG, Punjab, accepts notice on behalf of respondents No.1 to 3. On instructions from ASI Jatinder Singh, she submits that FIR No.58 dated 27.05.2020 under Sections 363, 366, 506 IPC, Police Station Batala has been registered against petitioner No.2-Pawanbir Singh and therefore, the proceedings in the said FIR should not be adversely affected by the order of protection, if any, granted by this Court.

Heard learned counsel for the parties.

Without going into the validity of the marriage of the petitioners, the present petition is disposed of with a direction to the respondent No.2 –Senior Superintendent of Police, Police District Batala, District Gurdaspur to take appropriate remedial measures on the representation dated 27.05.2020(Annexure P-5) submitted by the petitioners as warranted by law.

In the meantime, necessary order be passed to ensure that no harm is caused to the life and liberty of the petitioners at the hands of private respondents.

However, it is made clear that the proceedings pursuant to the aforesaid FIR shall not hamper, in any manner, and may continue in accordance with law.

June 02, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No