

116.

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

CRWP-5846-2020

Date of decision: 13.08.2020

PARAMJEET KAUR AND ANOTHER

... Petitioners

versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sidhant, 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.

Prayer in this criminal writ petition filed under Article 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing respondent No.2 to protect the life and liberty of the petitioners at the hands of private respondent No.4.

Learned counsel for the petitioners has argued that earlier marriage of petitioner No.1 Paramjeet Kaur was solemnized with Labh Singh son of Chhajju Ram on 20.09.2007 at Village Teora, Tehsil Shahabad Markanda, District Kurukshetra. However, the marriage could not survive and was accordingly dissolved by a decree of divorce on the ground of cruelty and desertion vide judgment dated 19.12.2016 passed by learned Additional District Judge, Kurukshetra. The said decree of divorce has attained finality as no appeal has been filed against the said judgment. There are three children born from the wedlock of Paramjeet Kaur-petitioner No.1 and Labh Singh. Now after having been divorced, the parties have solemnized marriage on 08.08.2020, but there being age difference between

petitioner No.2-Vikas (23 years) and petitioner No.1-Paramjeet Kaur (31 years) and she (petitioner No.1) being mother of three children, respondent No.4-Surmukh Singh, who is father of petitioner No.2-Vikas, is not accepting the marriage, leaving no option to the petitioners to approach this Court so as to seek protection to their life and liberty.

Learned counsel contends that the petitioners are major and have solemnized their marriage in accordance with law. However, the private respondent is 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, petitioner No.2 has moved a representation dated 08.08.2020 (Annexure P-7) to respondent No.2-Superintendent of Police, Kurukshetra.

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

At the asking of the Court, Ms. Gaganpreet Kaur, AAG, Haryana, accepts notice on behalf of respondents No.1 to 3.

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-Superintendent of Police, Kurukshetra to take appropriate remedial measures on the representation dated 08.08.2020 (Annexure P-7) submitted by petitioner No.2 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.

(HARI PAL VERMA)
JUDGE

13.08.2020

sanjeev	Whether speaking/reasoned?	Yes/No
	Whether reportable?	Yes/No