

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

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**CRWP No.6437 of 2020
Date of Decision:27.8.2020**

USHA KAUR AND ANR

.....Petitioners

Vs

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Sarabjeet Singh, Advocate for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

By way of filing the present petition under Article 226 of the Constitution of India, petitioners seek issuance of necessary directions for the protection of their lives and personal liberties from being violated by private respondents.

Petitioners claimed themselves to be major and have contracted marriage on 24.8.2020 according to their voluntary act, but against the wishes of their family members. They have relied upon some photographs/ documents in the context of validity of marriage. They have also moved a representation dated 24.8.2020 (Annexure P-7) to the Senior Superintendent of Police, Patiala-respondent No.2.

Notice of motion to respondents No.1 to 3.

On asking of the Court, Mr. Ramdeep Partap Singh,

DAG, Punjab accepts notice on behalf of respondents No.1 to 3.

At this stage without meaning anything upon the allegations and without commenting upon validity of marriage vis-a-vis majority of the petitioners, I am of the view that the petitioners be relegated to approach respondent No.2 before whom they have statedly moved a representation.

Respondent No.2 shall ascertain the truth in the allegations of the petitioners and would pass appropriate order in accordance with law. Respondent No.2 would be at liberty to assess the threat perception of the petitioners and would act in accordance with law. Respondent No.2 would also be at liberty to join the petitioners or any other person acquainted with the facts of the case. Respondent No.2 shall form an independent opinion, without being influenced by any statement of fact recorded hereinabove.

It would be appreciated, if needful in deciding the representation is done within a period of one month from the date of receipt of certified copy of this order.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

August 27, 2020

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No