

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

104

CRWP No.9077 of 2020
DATE OF DECISION : 4th NOVEMBER, 2020

Manpreet Singh & another

.... Petitioners

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

=====
In virtual Court
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Present: Ms. Nisha, Advocate for the petitioners.

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RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of directions to respondents No.2 & 3 to protect the life and liberty of the petitioners at the hands of private respondents No.4 & 5, not to harass or interfere in the peaceful married life of the petitioners.
2. The counsel for the petitioners has submitted that she has verified the identity of the petitioners.
3. The petitioners seek protection of their life and liberty by contending that both of them having attained the age of majority, have married each other against the wishes of their respective family members/respondents No.4 & 5 and so seek appropriate protection from the authorities. They claim to have submitted a representation (Annexure P-4) in this regard to the Senior Superintendent of Police, Patiala, on 02.11.2020, but are still apprehensive about their safety and security in view of the

alleged inaction of the police and the alleged clout of their family members/respondents.

4. Notice of motion.

5. Mr. Dhruv Dayal, Sr. DAG, Punjab, accepts notice on behalf of the State. Mr. Manpreet Singh Bhatti, Advocate put in appearance on behalf of respondents No.4 and 5-the parents of petitioner No.2.

6. The counsel for respondents No.4 and 5 has submitted that since the petitioners have already performed marriage; as is stated by them, therefore, the respondents No.4 & 5 have no objection, in any manner, qua the lives of the petitioners. They can live the life as per their choice. However, the respondents be, at least, permitted to meet their daughter once. It is further submitted that the answering respondents have no intention to cause any kind of harm to either of the petitioners.

7. Both the petitioners do appear to have crossed the age of majority as seen from the copies of documents filed and claim to have married each other, in support of which Marriage Certificate (Annexure P-3), have been placed on record.

8. For the aforesaid reasons, this appears to be a fit case for this Court to invoke the writ jurisdiction under Article 226 of the Constitution of India to ensure the right to life and liberty as guaranteed to them by Article 21 of the Constitution.

9. Thus, the Senior Superintendent of Police, Patiala, is directed to consider the representation dated 02.11.2020 (Annexure-P-4) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners. It is nevertheless clarified that this order is issued only on the premise that the petitioners have crossed the age of majority; as seen from the documents placed on record; being Aadhaar Cards of the petitioners (Annexures P-1 & P-2). The petitioners have produced on record marriage certificate (Annexure P-3) qua their stated marriage. However, this

order would not ipso facto amount to granting any seal of approval on the legality of their marriage, which essentially would come in the domain of the concerned Matrimonial Courts. Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

10. However, it is further ordered that in case respondents No.4 and 5 so demand, then the police shall ensure a meeting between the petitioner No.2 and the respondents No.4 and 5.

11. The petition is disposed of with the above direction.

4TH NOVEMBER, 2020
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>