

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

106

CRWP-9283-2020

Date of decision : 17.11.2020

Gurwinder Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

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

ARUN KUMAR TYAGI, J (ORAL)

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

The petitioners, claiming themselves to be aged about 21 and 22 years respectively, have approached this Court seeking protection of their life and liberty on the averments that the petitioners, being major, performed marriage on 02.11.2020 at Prachin Pashupati Nath Shiv Mandir (Regd.), MDC, Sector-6, Panchkula, as per Hindu rites and ceremonies against the wishes of respondents No.4 to 6 and the petitioners are apprehending threat to their life and liberty at their instance.

During the course of hearing, learned Counsel for the petitioners has submitted that in memo of parties of the petition while mentioning particulars of respondent No.2-Senior Superintendent of Police name of district has been wrongly typed as Nawashar, Punjab instead of Jalandhar, Punjab due to inadvertent typographical mistake which may be allowed to be corrected.

In the facts and circumstances of the case and in the interest of justice, request of learned Counsel for the petitioners is acceded to and in the memo of parties of the petition particulars of respondent No.2 are allowed to be corrected as Senior Superintendent of Police, Jalandhar, Punjab instead of Senior Superintendent of Police, Nawashar, Punjab as prayed for.

The Registry is directed to make the necessary corrections in the memo of parties of the petition accordingly.

Notice of motion restricted to respondents No.1 to 3 only.

Pursuant to supply of advance copy, Mr. Mehardeep Singh, Addl. A.G., Punjab has appeared and accepted notice on behalf of respondents No.1 to 3.

The petitioners, who are present through video conferencing and duly identified by their counsel, have on being questioned by the Court admitted having solemnized marriage and reiterated their prayer for protection as mentioned in the petition.

Learned counsel for the petitioners states that representation dated 02.11.2020 (Annexure P-4) was made to the SHO, Police Station Dhanna, Phillaur, Jalandhar seeking necessary protection but no action has been taken so far in the matter and prays for issuance of direction in this regard.

Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to respondent No.2-Senior Superintendent of Police, Jalandhar to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-4) and take appropriate action for protection of their life and liberty as may be warranted by the circumstances.

However, it is clarified that in case any criminal case has been/is registered against petitioner No.2, then nothing in this order shall be construed as a bar for taking of appropriate action by the police authorities against him in respect thereof in accordance with law.

Registry is directed to send a copy of this order along with copy of the petition and above-said representation to respondent No.2-Senior Superintendent of Police, Jalandhar for requisite compliance.

17.11.2020
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(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No