

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

Sr.No.102

CRWP No.9436 of 2020

Date of Decision: 16.11.2020

Happy and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(Heard through Video-conferencing)

CORAM: HON'BLE MRS.JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Lakhwinder Singh Mann, Advocate,
for the petitioners.

Ms. Jaspreet Kaur, A.A.G., Punjab,
for respondents No.1 to 3.

MEENAKSHI I. MEHTA (ORAL)

By way of the instant petition, the petitioners have sought the indulgence of this Court for issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect their life and personal liberty as they apprehend threat to the same at the hands of respondents No.4 to 7 because they (petitioners) have solemnized their marriage against the wishes of these respondents. It has also been mentioned in the petition that the petitioners have already moved a representation (Annexure P-5) to the Senior Superintendent of Police, Jalandhar (Rural), on 07.11.2020, in this regard.

It is pertinent to mention here that Annexure P-4 is the copy of the order dated 16.10.2020, as passed by this Court in case bearing CRWP No.8484 of 2020, wherein it has been mentioned that the said petition, as preferred by the present petitioners, had been dismissed as having been

rendered infructuous, in view of the matter having been amicably settled between the parties. However, as narrated in para No.6 of the petition, the said petition had been withdrawn, on the assurance given by the private respondents to the petitioners to get their marriage solemnized in public but both the petitioners have specifically alleged in Para No.7 of this petition that however, thereafter, the private respondents backed out from fulfilling their said promise and rather, started making arrangements for the marriage of petitioner No.1 with some other person.

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

Ms. Jaspreet Kaur, A.A.G., Punjab has joined the proceedings in pursuance of the copy of this petition, having been sent to respondents No.1 to 3-State in advance and at the asking of the Court, she accepts notice on behalf of respondents No.1 to 3.

Heard.

Learned counsel for the petitioners restricts his prayer to issuance of a direction to respondent No.2-Superintendent of Police, Jalandhar (Rural) to take appropriate action on the representation dated 07.11.2020 (Annexure P-5) as moved by the petitioners to him.

Learned State counsel has no objection for the same.

Accordingly, without expressing any opinion on the legality and validity of the marriage, as stated to have been solemnized between the petitioners, respondent No.2-Superintendent of Police, Jalandhar (Rural), is hereby directed to look into the said representation (Annexure P-5) and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law. However, it is clarified that this

order shall not be construed to be a shield to the petitioners against any criminal action initiated or to be initiated by the competent Authority/person on account of any act or conduct of the petitioners, incidental to their said marriage and permissible under any relevant provisions of law.

This petition stands disposed of.

(MEENAKSHI I. MEHTA)
JUDGE

16.11.2020.
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Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No