

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

CRWP No.9760 of 2020 (O&M)
DATE OF DECISION: 25.11.2020

Kavita and another	versus	Petitioners
State of Punjab and others		Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Kuldip Singh, Advocate for the petitioners
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ALKA SARIN, J. (Oral):

Heard through video conferencing.

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India *inter alia* praying for protection of life and liberty of the petitioners at the hands of respondent Nos.4 to 6. In the present petition, a further prayer has been made for issuance of directions to respondent Nos.2 and 3 for not harassing/implicating the petitioners in false criminal cases at the instance of respondent Nos.4 to 6 on account of solemnization of marriage of the petitioners against the wishes of respondent Nos.4 to 6.

Learned counsel for the petitioners, at this stage, does not press the second prayer and limits his prayer in the present petition only to protection of life and liberty of the petitioners as enshrined under Article 21 of the Constitution of India.

Learned counsel for the petitioners would contend that the petitioners are both major, the date of birth of petitioner No.1 being 18.09.1995 and that of petitioner No.2 being 17.02.1997. The copies of the Aadhar Cards of both the petitioners have been annexed with the petition as Annexures P-1 and P-2. The learned counsel for the petitioners has further contended that the petitioners fell in love and wanted to solemnize their

marriage. However, the parents of petitioner No.1 rejected the proposal as they wanted the petitioner No.1 to marry someone of their own choice. The petitioners thereafter solemnized their marriage at Prachin Pashupati Nath Shiv Mandir (Regd.), M.D.C., Sector 6, Panchkula on 22.11.2020. The petitioners are apprehending threats to their life and liberty at the hands of respondent Nos.4 to 6. The petitioners gave a representation dated 22.11.2020 (Annexure P-5) addressed to the Senior Superintendent of Police, Patiala, respondent No.2, for providing adequate security. However, no action has been taken on the same.

Notice of motion.

On the asking of the Court, Mr. Ramandeep Sandhu, Senior Deputy Advocate General, Punjab has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 3.

Heard learned counsel for the parties.

Without expressing any opinion with regard to the veracity of the contents of the petition and the submissions made by learned counsel for the petitioners, the present petition is disposed off with a direction to the Senior Superintendent of Police, Patiala (respondent No.2) to consider the representation dated 22.11.2020 (Annexure P-5) and take necessary action as per law.

It is, however, made clear that this order shall not, in any manner, be construed as an expression of opinion on the veracity of the statement made by the petitioners or on the validity of the marriage and shall have no effect on any other civil or criminal proceedings, if any, instituted/pending against them.

(ALKA SARIN)
JUDGE

25.11.2020

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NOTE:

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO