

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

CRWP No.233 of 2021 (O&M)
DATE OF DECISION: 11.01.2021

Prabhjeet Kaur and another

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. M.K. Arya, Advocate for the petitioners

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ALKA SARIN, J. (Oral):

Heard through video conferencing.

This is a Criminal Writ Petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to protect the life and liberty of the petitioners at the hands of respondent No.4.

The learned counsel for the petitioners would contend that the petitioners are both major, the date of birth of petitioner No.1 being 04.06.1994 and that of petitioner No.2 being 01.01.1992 (PAN Card and Aadhaar Card have been annexed as Annexures P-1 and P-2, respectively). The learned counsel for the petitioners would further contend that the private respondent wanted the petitioner No.1 to marry another boy and the petitioners were thus left with no option but to run away and solemnized their marriage on 06.01.2021. The learned counsel would further contend that the local police has been harassing the

petitioners and has been raiding the houses of the parents and relatives of petitioner No.2. In this regard, a representation dated 07.01.2021 has also been made (Annexure P-4). However, no action has been taken on the same. The learned counsel would further contend that at this stage he limits his prayer in the present case to the extent that he would be satisfied if the representation dated 07.01.2021 (Annexure P-4) is decided by the Senior Superintendent of Police, District Batala (respondent No.2).

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

Learned counsel for the State, on instructions from ASI-Iqbal Singh, would contend that the statements of both the petitioners have since been recorded and they have categorically stated that they do not require any protection and that they are happily living together.

I have heard the learned counsel for the parties.

Though a statement has been made by the learned State counsel on instructions from ASI-Iqbal Singh that the statements of the petitioners have since been recorded and they are happily residing together and do not require any police protection, however, a prayer in the present petition has been made apprehending danger to the life and liberty of the petitioners.

Keeping in view the apprehension expressed in the petition, and 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, Police District Batala (respondent No.2) to consider the representation dated 07.01.2021 (Annexure P-4) 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 statements 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**

11.01.2021
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NOTE:

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