

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 363 of 2021
Date of Decision: 14.1.2021**

Anmolpreet Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vaibhav Narang, Advocate
for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This petition has been filed under Article 226 of the Constitution of India for directing respondents No. 2 and 3 to protect the life and liberty of the petitioners from respondent No. 4.

Learned counsel for the petitioners states that though petitioner No. 2 is major but not of marriage age. They want to marry each other after attaining the marriageable age of petitioner No. 2. He further submits that respondent No. 4 is against their relationship and wants to marry off petitioner No. 1 to some other person, against her wishes.

Learned counsel for the petitioners further submits that the petitioners are living in a constant danger as they have every apprehension that the private respondent would catch them and carry out her threats and might go to the extent of even committing their murder. The petitioners are, therefore, running from pillar to posts for protection of their life and liberty. He further submits that both the petitioners have been facing threat from the family members of petitioner No. 1 and in this regard, they have also moved

Police, Amritsar-respondent No. 2.

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

On the asking of the Court, Mr. Randhir Singh Thind, DAG, Punjab accepts notice on behalf of the State.

I have heard the learned counsel for the parties.

Article 21 of the Constitution stipulates protection of life and liberty to every citizen and that no person shall be deprived of his life and personal liberty except according to procedure established by law.

It is the bounden duty of the State as per the Constitutional obligations cast upon it to protect the life and liberty of every citizen. Mere fact that petitioner No. 2 is not of a marriageable age, would not deprive the petitioners of their fundamental right as envisaged in the Constitution, being citizens of India.

In view of the above discussion, I dispose of the present petition with directions to respondent No. 2-Commissioner of Police- Amritsar, to verify the contents of the petition particularly the threat perception to the petitioners and thereafter provide necessary protection qua their life and liberty and to decide the representation 09.1.2021 (Annexure P-3), moved by the petitioners, in accordance with law and grant protection to them, if any threat to their life and liberty is perceived.

It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law, if any, committed by them.

(HARNARESH SINGH GILL)
JUDGE

January 14, 2021
Gurpreet

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