

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

111

CRWP-454-2021

Date of decision: 18.01.2021

Laxmi Kharka and another

.....Petitioners

Versus

State of U.T. Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Sudesh K. Khurcha Advocate for the petitioners
with petitioners in person.

ARUN KUMAR TYAGI, J (ORAL)

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

The petitioners, claiming themselves to be aged about 19 and 24 years respectively, have approached this Court seeking protection of their life and liberty on the averments that the petitioners, being major, performed marriage on 13.01.2021 at Praachin Pashupati Nath Shiv Mandir, MDC, Sector-6, Panchkula, as per Hindu rites and ceremonies against the wishes of respondents No.4 and 5 and the petitioners are apprehending threat to their life and liberty at their instance.

In support of the averments made in the petition, the petitioners have also enclosed photographs taken at the time of their marriage.

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

Pursuant to supply of advance copy, Ms. Vasundhra Anand, Additional Public Prosecutor for U.T. Chandigarh 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 13.01.2021 (Annexure P-5) was made to the

Senior Superintendent of Police, U.T. Chandgiarh seeking necessary protection but no action has been taken so far in the matter and prays for issuance of direction in this regard.

Learned Additional Public Prosecutor for U.T. Chandigarh 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, U.T. Chandgiarh to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-5) 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, U.T. Chandgiarh for requisite compliance.

18.01.2021

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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