

In the High Court of Punjab and Haryana at Chandigarh

CRWP No. 703 of 2021

Date of Decision: 25.1.2021

Mamta and another

.....Petitioners

Versus

Union Territory, Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ravinder Singh, 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 the hands of respondents No. 4 and 5.

Learned counsel for the petitioners states that both the petitioners are major and have married against the wishes of respondents No. 4 and 5 and have sought protection to their life and liberty. They apprehend danger from respondents No. 4 and 5. Their marriage certificate and photographs evidencing their marriage are on record as Annexure P-4 and Annexure P-5, respectively. The petitioners have submitted a representation dated 19.1.2021, Annexure P-6 to Senior Superintendent of Police, Chandigarh-respondent No. 2.

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

On the asking of the Court, Mr. Anupam Bansal, APP, U.T, Chandigarh accepts notice on behalf of the State. At the outset he points out

that the addresses of the petitioners as well as respondents No. 4 and 5 are not

correct and seeks indulgence of this Court to direct the petitioners to file their correct address as well as the address of respondents No. 4 and 5.

At this stage, learned counsel for the petitioners undertakes to provide the correct addresses of the petitioners as well as respondents No. 4 and 5 to SHO, Police Station Mauli Jagran, U.T., Chandigarh-respondent No. 3, within one week from today.

Keeping in view the above and without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of the petition with directions to Senior Superintendent of Police, Chandigarh-respondent No. 2 to decide the representation of the petitioners, dated 19.1.2021 (Annexure P-6) and grant them protection, 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.

It is also made clear that in case the correct addresses of the petitioners as well as respondents No. 4 and 5 are not provided by the learned counsel for the petitioners within the stipulated period, State would be at liberty to file an application for recalling of the order.

(HARNARESH SINGH GILL)
JUDGE

January 25, 2021
Gurpreet

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