

212 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-2036-2020
Date of decision :18.08.2021

GURPREET KAUR AND ANOTHER

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Deepak K. Bartia, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.1 to 3 to protect protect the life and liberty of the petitioners..

On 25.02.2020, the Coordinate Bench of this Court had passed the following order:-

“It is stated that petitioner No.1 – Gurpreet Kaur, aged about 18 years has got married with petitioner No.2 Vikas Kumar, aged about 24 years against wishes of her family members arrayed as private respondents No.4 and 5, who are threatening to interfere in their marital life, as such to seek protection in that regard, they have approached this Court by way of filing the present petition.

Of course nobody can be allowed to take law into his hands and to indulge in illegal activities.

Notice of motion for 30.4.2020.

In the meanwhile, respondent No.2 – Senior Superintendent of Police, SAS Nagar (Mohali) is directed to ensure that no physical harm is caused to the petitioners at the hands of private respondents or persons claiming under them. However, this order is not to be taken as legalizing the alleged marriage between the petitioners and shall not save the petitioners from any criminal or civil action to which they may be found liable in view of the circumstances of the case.”

Learned counsel for the petitioners has submitted that the petitioners have not informed him about any untoward incident or any apprehension and they are living happily together and have no apprehension to their life and liberty at the present moment and thus, the petition has been rendered infructuous.

Learned State counsel has also stated that on instructions of ASI Surjit Singh, the petitioners are residing happily together.

Keeping in view, the above-said facts and circumstances, the present petition is disposed of as infructuous.

However, liberty is granted to the petitioners to move a representation before respondent No.2-Senior Superintendent of Police, S.A.S. Nagar, Mohali in case of any apprehension in future and in case such a representation is moved then respondent No.2 is directed to look into the matter and take appropriate action in accordance with law.

(VIKAS BAHL)
JUDGE

18.08.2021
JITESH (JTS)

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