

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.2642 of 2021(O&M)

Date of Decision.13.09.2021

(Heard through VC)

Manpreet Kaur and another

...Petitioners

Vs

State of Punjab and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Varinder Basa, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. G.S. Gharoo, Advocate
for private respondents.

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JAISHREE THAKUR J. (ORAL)

CRM-W No.1085 of 2021

Application is allowed.

Annexure P-5 is taken on record.

CRM-W No.1086 of 2021

Prayer in the application is for preponing the date of hearing of the
crl. writ petition, which has been listed for 24.01.2022.

For the reasons stated in the application, the same is allowed and the
main petition is taken up for hearing today itself.

CRWP No.2642 of 2021

The instant crl. writ petition has been filed under Section 226 of the
Constitution of India for issuance of direction to respondents No.2 and 3 to
protect the life and liberty of petitioners and to restrain private respondents No.4
to 8 to harass or interfere in the peaceful married life of petitioners.

In brief, the facts are that petitioner No.1 being a major with the date of birth reflected as 19.04.1996 solemnized marriage with petitioner No.2, who was born on 07.10.1993. This marriage was solemnized on 06.04.2020 and thereafter, they were residing happily in the matrimonial home. It is submitted that threats had been received by the petitioners from parents of petitioner No.1 as they were not happy with the marriage performed. Consequent to receiving threats, the instant petition was filed seeking protection of their life and liberty from the State.

This matter was taken on several occasions and on 23.03.2021, appearance was caused on behalf of respondent No.4 i.e. father of Manpreet Kaur, petitioner No.1. It was submitted that the husband i.e. petitioner No.2 was not allowing the parents to meet their daughter i.e. Manpreet Kaur. Consequent to the statement made, SHO, Police Station Rani Ka Bagh, Amritsar was directed to produce the girl before the Chief Judicial Magistrate, Amritsar and record statement of the girl and if she made a statement that she did not want to reside with her husband, she should be released to stay with her parents. The report of the Chief Judicial Magistrate, Amritsar was called for.

Today, the matter is being taken up and affidavit of Manpreet Kaur wife of Balhar Singh is taken on record. In the said affidavit, it is submitted that deponent has got her statement recorded before the Chief Judicial Magistrate, Amritsar in which she stated that she wants to stay with her husband Balhar Singh and that she is leading a happy married life. It is also stated that she apprehends threat of her life from her parents and brothers.

Report of the Chief Judicial Magistrate, Amritsar has also been received wherein the petitioner No.1 has categorically stated that she is happily

married and residing in her matrimonial home. She has also stated that she is apprehending threat of life and liberty from her parents and brothers.

In view of the statement made by petitioner No.1, the instant crl. writ petition is disposed of with direction to the official respondents to grant protection to the petitioners, if any threat to their life and liberty is perceived. However, 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.

	(JAISHREE THAKUR)	
	JUDGE	
September 13, 2021		
Pankaj*	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No