

CRWP-2213-2020

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-2213-2020.

Date of Decision:-14.09.2021.

Simranjeet Kaur and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Parveen Kumar Rohilla, Advocate for the petitioners.

Mr. Manish Dadwal, AAG, Haryana.

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Articles 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.2 and 3 to protect the life and personal liberty of the petitioners and also to direct respondent Nos.4 to 7 to not interfere with the personal lives and liberty of the petitioners.

On 28.02.2020, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“It is stated that petitioner No.1 Simranjeet Kaur, aged about 24 years has got married with petitioner No.2 Gurupreet Singh, aged about 27 years, against the wishes of her family members, arrayed as respondents No. 4 to 7, 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 7.5.2020.

In the meanwhile, respondent No. 2 Superintendent of Police, Kurukshetra, 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 State has submitted that by passing of the abovesaid order, the prayer of the petitioners has been allowed and in case there is any threat to the life and liberty of the petitioners, they can give a fresh representation to respondent No.2 and in case such a representation is given on the aspect of protection, then respondent No.2-Superintendent of Police, Kurukshetra, Haryana, would look into it and take appropriate action.

Keeping in view the above facts and circumstances and also the statement of the learned State counsel, this petition is disposed of as infructuous.

However, liberty is granted to the petitioners to move a representation to respondent No.2, in case they have any apprehension to

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their lives and liberty in future and respondent No.2 is directed to look into the matter and take appropriate action accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioners and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation, if any, moved by the petitioners with a limited aspect aforesaid.

In view of what has been observed above, the present petition is disposed of in the abovesaid terms.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any other case.

(VIKAS BAHL)
JUDGE

September 14, 2021.

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No