

CRWP-3612-2021

Date of Decision: 15.4.2021

Mantosh Kumar and another

..... Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Manpreet Singh Kanda, Advocate, for the petitioners.

RAJESH BHARDWAJ, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This petition has been filed under Article 226/227 of the Constitution of India for directing respondents No. 2 & 3 to protect the life and liberty of the petitioners from the hands of respondent No.4.

Learned counsel for the petitioners states that both the petitioners are major and have married against the wishes of respondent No.4 and have sought protection to their life and liberty. They apprehend danger from respondent No.4. Their marriage certificate and photographs as evidence of their marriage are on record as Annexure P-3 and Annexure P-4, respectively. The petitioners have submitted a representation dated 12.4.2021 Annexure P-5 to respondent No. 2.

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

On the asking of the Court, Mr. Harsimar Singh Sitta, Assistant Advocate General, Punjab accepts notice on behalf of the State.

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 respondent No. 2 to decide the representation of the petitioners, Annexure P-5 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. This order would not be understood having expressed any opinion whatsoever, on the validity of the marriage of the petitioners.

(RAJESH BHARDWAJ)
JUDGE

15.4.2021
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No