

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRWP No.4162 of 2021 (O&M)

Date of decision: 11.05.2021

Aarti and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Bhavdeep Singh Mamli, Advocate for the petitioners.

MAHABIR SINGH SINDHU, J.

1. Present criminal writ petition under Article 226 of the Constitution of India has been filed by the petitioners praying for protection to their life and liberty in view of the marriage solemnized by them against the wishes of respondent No.4.
2. Notice of motion.
3. On the asking of the Court, Mr. Venu Gopal Jauhar, Sr. DAG, Punjab, who is present through Video-Conference, accepts notice on behalf of official respondent Nos.1 to 3 and requisite copies of the petition have already been supplied to the State by the learned Counsel for the petitioners.
4. Paper-book reveals that petitioner No.1 was earlier married with respondent No.4 and due to some temperamental differences, they filed a petition under Section 13-B of the Hindu Marriage Act, 1955 for dissolution of their marriage by way of a decree of divorce with mutual consent, which was allowed, vide judgment and decree dated 08.12.2020 (P-3). Thereafter, marriage of the petitioners was solemnized on 27.04.2021. The documents annexed by the

petitioners with the petition including Voter Identity Card of petitioner No.1 and Aadhaar Card of petitioner No.2 (P-1 and P-2, respectively) show that both are major and duly identified by their Counsel, but apprehending danger to their life and liberty at the hands of respondent No.4.

5. Therefore, the present petition is disposed off with a direction to respondent No.3-SHO, Police Station Dera Bassi, District SAS Nagar, Mohali to protect the life and liberty of the petitioners as per law.

6. However, it is made clear that this order may not be construed as expression of an opinion on legality and validity of the marriage of the petitioners.

7. In case any criminal case is pending against petitioner No.2, this order shall not be any hindrance for the Investigating Officer to proceed according to law.

May 11th, 2021
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No