

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

CRWP No.4178 of 2021 (O&M)

Date of decision: 11.05.2021

Charanjit Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Deepanshu Mehta, Advocate for the petitioners.

MAHABIR SINGH SINDHU, J.

1. Present criminal writ petition under Articles 226/227 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 Nos.3 to 6.

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 & 2 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 one Bhupinder Singh; whereas petitioner No.2 was earlier married with one Rano and they filed respective petitions under Section 13-B of the Hindu Marriage Act, 1955 for dissolution of their marriages by way of decrees of divorce with mutual consent, which were allowed, vide judgments and decrees dated 13.08.2019 and 13.07.2020 (P-7 & P-8, respectively). Thereafter, marriage of the petitioners was

solemnized on 28.04.2021. The documents annexed by the petitioners with the petition including Aadhaar Cards (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 Nos.3 to 6.

5. Therefore, the present petition is disposed off with a direction to respondent No.2-Senior Superintendent of Police, Gurdaspur 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

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>