

216 (2 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No. 4295 of 2021

Date of Decision: 27.05.2021

GURSIRTAJ SINGH

.....Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

.....Respondents

CRWP No. 4294 of 2021

GURNOON KAUR CHAHAL AND ANOTHER

.....Petitioners

V/s.

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Gagan Oberoi, Advocate,
for the petitioner in CRWP No. 4295 of 2021.

Mr. Manpreet Singh Dua, Advocate,
for the petitioners in CRWP No. 4294 of 2021

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

This order shall dispose of the aforesaid two petitions, as they both are interconnected.

Petitioners have approached this Court under Article 226 of the Constitution of India, by filing CRWP-4295-2021, seeking a writ in the nature of Habeas Corpus, directing respondents No.1 to 3 to release the detinue – Gurnoor Kaur daughter of Gursirtaj Singh forthwith from the illegal custody of respondents No.4 to 7, whereas, CRWP-4294-2021, has been filed by the petitioners Gurnoor Kaur and Malkit Singh, seeking

protection, as the petitioners have allegedly got married against the wishes of the private respondents, who have ever since then been extending threats of dire consequences.

This Court vide order dated 13.05.2021, had directed the petitioners (in CRWP-4294-2021) to appear before the Chief Judicial Magistrate, Gurdaspur on 20.05.2021, for getting the statement of petitioner No.1 – Gurnoor Kaur, recorded.

In compliance thereto, report of the learned Chief Judicial Magistrate, Gurdaspur, has been received.

As per the report, petitioner No.1 - Gurnoor Kaur, has categorically stated that she and petitioner No.2-Malkit Singh, has solemnized their marriage against the wishes of her family i.e. private respondents and since they apprehended threat to their life and liberty at the hands of the private respondents, CRWP No.4294 of 2021 for seeking protection of their life and liberty, had been filed by them before this Court.

The report of CJM, Gurdaspur, also states that two police officials had been deputed to provide protection to the petitioners so that their life and liberty may not be jeopardized at the hands of the private respondents.

In view of aforementioned facts and circumstances as well as in view of the report submitted by the learned Chief Judicial Magistrate, Gurdaspur, CRWP No. 4295 of 2021, filed by the father of Gurnoor Kaur for releasing her from illegal custody of private respondents, is hereby dismissed as having been rendered infructuous.

As far as CRWP No. 4294 of 2021 is concerned, the same is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, Gurdaspur, to look into the threat perception, which may be in existence and take appropriate action and steps to ensure that the life and liberty of the petitioners is not jeopardized at the hands of private respondents.

A photocopy of this order be placed on the file of the connected case.

May 27, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

Whether speaking / reasoned : *Yes / No*

Whether Reportable : *Yes / No*