

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRWP No.4542 of 2021
Date of Decision: 18.05.2021

Shaukat Ali @ Happy Singh and another

....Petitioners

VERSUS

State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioners.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

This is a criminal writ petition under Article 226 of the Constitution of India for issuance of a writ of *mandamus* directing respondent no.2 to protect the life and liberty of the petitioners, as enshrined under Article 21 of the Constitution of India, as they apprehend threat to their life and liberty at the hands of private respondent nos.4 to 6.

Learned counsel for the petitioners has submitted that both the petitioners are major and have got married against the wishes of their parents and relatives. The age proof i.e. Aadhaar Card of petitioner no.1 has been appended with the petition as Annexure P-1 which reveals his date of birth as 03.03.1996. The Aadhaar Card of petitioner no.2 has been appended as Annexure P-2 with the petition which shows her date of birth as 10.12.1999. Learned counsel for the petitioners would contend that the petitioners are receiving serious threats and apprehend grave danger to their life and liberty. The petitioners in this regard, have also sent a representation dated

12.05.2021 (Annexure P-5) to respondent No.2 - Senior Superintendent of

Police, Barnala, District Barnala - however, no action has been taken on the same.

Notice of motion.

On the asking of the Court, Ms. Bhavna Gupta, DAG Punjab, who has joined the session through video conferencing, accepts notice on behalf of respondent Nos.1 to 3.

Mr. Sarvesh Kumar Gupta, Advocate, who has also joined the session through video conferencing, has put in appearance on behalf of respondent no.5, the mother of petitioner no.2, and states that she has no objection to the marriage, however, she would like to meet petitioner no.2 once.

I have heard learned counsel for the parties.

Without expressing any opinion with regard to the veracity of the contents of the petition and the submissions made by learned counsel for the petitioners, the present petition is disposed off with a direction to respondent no.2 - Senior Superintendent of Police, Barnala - to consider the representation dated 12.05.2021 (Annexure P-5) and take necessary action as per law.

Further, both the petitioners as well as respondent no.5 shall appear before respondent no.3 - SHO, Police Station Handiaya, District Barnala - on 21.05.2021 at 11.30 a.m. where respondent no.5 can also meet petitioner no.2. It is made clear that only respondent no.5 shall meet petitioner no.2 in the Police Station on 21.05.2021 and that too in the presence of a lady Police Officer.

It is, however, made clear that this order shall not, in any manner, be construed as an expression of opinion on the veracity of the statement made by the petitioners or on the validity of the marriage and shall have no effect on any other civil or criminal proceedings, if any, instituted/pending against them.

Disposed off accordingly.

**(ALKA SARIN)
JUDGE**

**18th May, 2021
jk**

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO