

CRWP No. 4832-2021

Date of Decision: 07.07.2021

Sangeeta @ Shehzadi and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Damini Aggarwal, Advocate,
for the petitioners.

Mr. Sidakmeet Sandhu, A.A.G, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under Article 226/227 of the Constitution of India for issuance of a direction to respondents no. 2 and 3 to protect the life and liberty of the petitioners at the hands of respondents no. 4 and 5 and not to interfere in their personal life at the behest of the aforesaid respondents.

Notice of motion having been ordered to be issued on 27.05.2021, the matter had been thereafter adjourned as respondents no. 4 and 5 were not found to be served of such notices with the address given in the memo of parties stated to be incorrect.

Learned counsel for the petitioners submits that fresh addresses were thereafter supplied, with the report of the Registry however being that the notices issued thereafter have not been received back either served or otherwise.

Be that as it may, a status report has been filed on behalf of respondents no. 1 to 3 by way of an affidavit of the Assistant Commissioner

of Police (West), Jalandhar, dated 28.06.2021, in which it is stated that the statements of the petitioners, as also of respondents no. 4 and 5, i.e. the parents of petitioner no. 1, were recorded by the police, wherein petitioner no. 1 stated that she was married on 07.02.2011 with one Vinod Kumar and has two sons from that marriage but with her husband having unfortunately died on 05.01.2019, after which she married petitioner no. 2, even though he was married earlier, but with his wife (as contended) suffering from paralysis.

[Learned counsel for the petitioners points out that as per the affidavit Annexure P-5, petitioner no. 1 has converted to Islam and has thereafter married petitioner no. 2 as per Muslim rites.]

It is further stated in the affidavit of the ACP that the parents of petitioner no. 1 have got recorded their statements that they have no objection to the marriage and would not interfere in the married life of the petitioners.

Thus, as per the ACP, the petitioners are no longer under any threat to their life and liberty.

That being so, without making any comment on the validity of the marriage, or otherwise, with petitioner no. 2 shown to be 45 years of age and petitioner no. 2 to be 31 years of age, with her also stated to be a mother of two children from her first marriage, this petition being one seeking protection of life and liberty, it is disposed of with a direction that the life and liberty of the petitioners would be duly protected as per law; and in case they face any threat in future, they would be obviously at liberty to approach the Commissioner of Police, Jalandhar, or any other police officer, to express any apprehension to their lives/liberty and consequently, they shall be given

due protection absolutely as regards their lives are concerned, and as regards liberty, as per law.

July 07, 2021
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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)
JUDGE
Yes/No
Yes/No.