

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

CRWP-8450-2021

Date of decision: - 06.09.2021

Gaurav Kumar and another

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mukesh Singla, Advocate
for the petitioners.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.
(keeping in view of the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioners are seeking a direction from this Court to respondents No.2 & 3 to protect their life and liberty as they apprehend danger to their life & liberty from respondents No.4 and 5 i.e. parents of the petitioner No.2, who are objecting to the marriage solemnized by the petitioners.

Learned counsel for the petitioners argues that petitioner No.2 had earlier solemnized the marriage with one Jagpreet Singh, which was dissolved by mutual consent under Section 13-B of the Hindu Marriage Act, 1955, vide decree of divorce dated 26.07.2017, by Principle Judge, Family Court, Shaheed Bhagat Singh Nagar. Learned

counsel for the petitioners further argues that it is most likely that the private respondents might cause physical harm to the petitioners as they have solemnized the marriage against the wishes of respondents No.4 and 5. Learned counsel for the petitioners submits that both the petitioners are major in age and have solemnized marriage according to Hindu Rites on 01.09.2021 and they want to live their independent life without any interference from the parents of the petitioner No.2 i.e. respondents No.4 and 5. Learned counsel for the petitioners has drawn attention of this Court to the representation dated 01.09.2021 (Annexure P-7) made by the petitioners to respondent No.2-the Senior Superintendent of Police, Saheed Bhagat Singh Nagar, seeking protection to their life and liberty.

Notice of motion to respondents No.1 to 3 only.

Mr. Rana Harjasdeep Singh, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondents No.1 to 3.

Without making any observation on the merits of the case, especially in respect of the validity of marriage performed by the petitioners, a direction is issued to respondent No.2 to take appropriate decision on the representation, which the petitioners alleged to have made on 01.09.2021 (Annexure P-7), expressing apprehension about danger to their life and liberty at the hands of respondents No.4 and 5 within a period of one month from the date of receipt of the copy of this order. In case any merit is found in the representation, the appropriate action will be taken by respondent No.2 to ensure that no harm is caused to the life

and liberty of the petitioners at the hands of the private respondents.

It is clarified that this order shall not be treated as an approval of this Court about the marriage of the petitioners and no opinion with regard to the validity of the marriage has been expressed in this order.

The writ petition stands disposed of.

September 06, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No