

CRWP-9091-2021

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

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Date of decision: 22.09.2021

Rafi Mohammad and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Paras Jagga, Advocate for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This petition has been filed under Article 226/227 of the Constitution for issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of respondents No. 4 and 5.

Learned counsel for the petitioners submits that both the petitioners are major and belong to Muslim religion. They performed *Nikah*/marriage with each other on 03.09.2021. Though petitioner No.1 is already married, yet he has taken consent of his first wife-Sara Badan. However, it is the first marriage of petitioner No.2-Nasreen Begum. Learned counsel further contends that respondents No.4 and 5 are against

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the marriage of the petitioners and, therefore, they have sought protection to their life and liberty. They apprehend danger at the hands of respondents No.4 and 5. The certificate evidencing their marriage, is on record as Annexure P-3. The petitioners have submitted a representation dated 04.09.2021 (Annexure P-4) to respondent No. 2-Senior Superintendent of Police, Patiala.

Notice of motion to respondents No.1 to 3-State only, at this stage.

On the asking of this Court, Mr. H. S. Sitta, AAG Punjab accepts notice on behalf of respondents No. 1 to 3 only.

Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of the petition with a direction to respondent No. 2-Senior Superintendent of Police, Patiala, to decide the representation dated 04.09.2021 (Annexure P-4) of the petitioners and grant protection to them, if any threat to their life and liberty is perceived.

It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law, if any, committed by them.

(HARNARESH SINGH GILL)
JUDGE

22.09.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No