

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

Sr. No.135

**CRWP-10060-2021
Date of Decision:21.10.2021**

Divya and another

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Akash Manocha, Advocate for the petitioners.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The present petition has been filed by the petitioners for issuance of direction to the official respondents No. 1 to 3 to protect their lives and personal liberty, as they apprehend danger at the instance of private respondents No. 4 and 5, who are the close relatives of petitioner no.1, on account of marriage, having solemnized by them on 11.10.2021.

It is averred in the petition that both the petitioners are major and to so substantiate their claim, Aadhar cards of both the petitioners are annexed with the petition. It is further averred in the petition that petitioner no.1 Divya was earlier married and she had obtained decree of divorce from the lower court vide Court order dated 4.5.2019. Also it is stated that no appeal arising from the same is pending before any Court of Law and this decree has, thus, attained finality. Now she has performed second marriage with petitioner no.2- Shubham Gupta. Further to substantiate the factum of marriage, copy of marriage certificate has been placed on record as Annexure P-4, which reveals about the marriage having performed by the petitioners on 11.10.2021. They are residing within the jurisdiction of this

Court. It is contended that representation dated 13.10.2021 has been filed by the petitioners before Sr. Superintendent of Police, District Jalandhar (Punjab), copy whereof is Annexure P-5, but no action has been initiated upon the same.

Notice of motion.

Ms. Sakshi Bakshi, AAG, Punjab, accepts notice on behalf of official respondents and gives assurance about initiation of action on the representation dated 13.10.2021, in accordance with law.

In view of the submission so made and the assurance so given by the learned State Counsel, the present petition is hereby disposed of with the direction to official respondents No.2 and 3 to consider the grievance of the petitioner, in view of the representation dated 13.10.2021, copy whereof is Annexure P-5 and to initiate action upon the same, in accordance with law, if so desired.

However, these observations are circumscribed, only for the purposes of disposal of the present petition, without prejudice to the rights of the parties, to be adjudicated in any civil or criminal proceedings, qua their age, factum of marriage and the validity thereof.

(ARCHANA PURI)
JUDGE

21.10.2021
dinesh

Whether speaking/reasoned

Yes

Whether reportable

Yes/No