

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

109

CRWP No.10557 of 2021
Decided on 09.11.2021

Subha and Another

.....Petitioners

VERSUS

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr.D.S.Nigha, Advocate, for the petitioners.

Ms.Gurkirat Kaur, AAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

The petitioners namely Subha and Harsh have approached this Court under Article 226 of the Constitution of India for seeking protection of their lives and personal liberty from private respondents No.4 & 5.

The contention of the petitioners is that they are major aged 25 years and 23 years respectively. In support thereof, copy of the Aadhaar Cards pertaining to the petitioners have been appended. The petitioners further contend that they have performed marriage against the wishes of their parents. The marriage of the petitioners was solemnized on 01.11.2021 at Shri Brahmri Devi Jan Kalyan Sanstha, 222, Mansa Devi Market, Sector-4, District Panchkula, according to Hindu rites and ceremonies. A Certificate (Annexure P-3) issued by the Managing Committee of the said organization has also been appended. The petitioners apprehended threat to their lives and claim that there is a constant danger of being implicated in a false case.

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

Pursuant to supply of advance copy, Ms.Gurkirat Kaur, AAG, Punjab, has appeared and accepted notice on behalf of respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 01.11.2021 (Annexure P-5) has also been submitted by the petitioners to the Commissioner of Police, Jalandhar.

Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to respondent No.2-Commissioner of Police, District Jalandhar to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-5) and take appropriate action for protection of their lives and liberty as may be warranted by the circumstances.

However, it is clarified that in case any criminal case has been/is registered against petitioner No.2, then nothing in this order shall be construed as a bar for taking of appropriate action by the police authorities against in respect thereof in accordance with law.

The Registry is directed to send a copy of this order along with copy of the petition and above-said representation to respondent No.2-the Commissioner of Police, Jalandhar for requisite compliance.

(VINOD S. BHARDWAJ)
JUDGE

09.11.2021
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>