

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(110)

CRWP-10773-2021

Date of decision: - 15.11.2021

Shivani @ Shiwani and another

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Damanjit Singh Sandhu, Advocate,
for the petitioners.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view 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 to 6 i.e. parents and brother of petitioner No.1, who are objecting to the marriage of the petitioners.

Learned counsel for the petitioners submits that petitioner No.1 is major in age and has attained the marriageable age, whereas

petitioner No.2 though major in age but will attain the marriageable age on 26.01.2023. Learned counsel for the petitioners submits that despite of above-mentioned fact, petitioners' have solemnized marriage according to Hindu Rites (though wrongly mentioned as 'Sikh Rites' in the body of the petition) on 09.11.2021. Learned counsel for the petitioners further submits that the petitioners have already approached respondent No.2-the Commissioner of Police, Ludhiana, raising the said grievance by filing a representation dated 10.11.2021 (Annexure P-7), which is still pending consideration with the said authority and the petitioners will be satisfied, in case a time bound direction is issued to respondent No.2 to decide the same by passing an appropriate speaking order.

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

Mr. Sandeep Singh Deol, 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.

Learned State counsel raises no objection in deciding the representation dated 10.11.2021 (Annexure P-7) in a time bound manner.

Without making any observation on the merits of the case especially in respect of 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 10.11.2021 (Annexure P-7), expressing apprehension about danger to their life and liberty at the hands of respondents No.4 to 6 within a period of four weeks 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.

The writ petition stands disposed of.

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.

November 15, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No