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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-11232-2021

Date of Decision: November 29, 2021

Esha and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Amit Gupta, Advocate for the petitioners.

.....

RAJESH BHARDWAJ, J. (ORAL)

Present petition has been filed under Article 226 of the Constitution of India for directing respondents no.2 and 3 to protect the life and liberty of the petitioners and their family members and relatives from the hands of respondents no.4 and 5.

It has been submitted that petitioner No.2 was convicted under Section 376 IPC and sentenced for ten years by the trial Court vide judgment dated 18.07.2019. Thereafter, he was released on parole for two months upto 21.12.2021. However, he performed the marriage with the prosecutrix on 24.11.2021 and has sought protection to their life and liberty. They apprehend danger from respondents nos.4 and 5. Their marriage certificate and marriage photographs evidencing their marriage are on record as Annexures P-5/T & P-6, respectively. Petitioner No.1 has submitted a representation dated 24.11.2021 (Annexure P-7) to respondent nos.2 and 3

Notice of motion to respondents no.1 to 3-State only.

On the asking of the Court, Mr. Rakeshinder Singh Sidhu,

AAG, Punjab, accepts notice on behalf of the State.

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, District Gurdaspur, Punjab, to decide the representation (Annexure P-7) of the petitioners and grant them protection, 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. This order would not be understood having expressed any opinion whatsoever by this Court on the validity of the marriage of the petitioners.

Disposed of.

November 29, 2021
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(RAJESH BHARDWAJ)
JUDGE

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |