

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

112

CRWP-1075-2022

Date of decision: 04.02.2022

SHIVANI AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Dinesh Mahajan, Advocate for the petitioners.

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 Shivani and Jasdeep Kumar have approached this Court under Article 226 of the Constitution of India for seeking protection of their life and personal liberty from private respondents No.4 to 7.

The contention of the petitioners is that they are major, aged 18 years and 20 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 28.01.2022 at Shri Shiv Shakti Sai Baba Dharmshala (Regd.) Sunny Enclave, Arman Nagar, Dhilwan, Jalandhar according to Hindu rites

and ceremonies. A copy of marriage certificate (Annexure P-3) issued by the aforementioned authority has also been appended. The petitioners apprehend 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. A.K. Khurana, DAG, Punjab has appeared and accepted notice on behalf of respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 01.02.2022 (Annexure P-5) has also been submitted by the petitioners to the respondent No.2-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, 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 the petitioners nothing in this order shall be construed as a bar for taking appropriate action by the police authorities 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- Commissioner of Police, Jalandhar for requisite compliance.

The petition is disposed of.

FEBRUARY 04, 2022
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No