

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

107

CRWP-1266-2022

Date of decision: 02.03.2022

SALEEMA AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Mohd. Salim, Advocate for the petitioners.

Ms. Ishneet Kaur, Asstt.A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The petitioners namely Saleema and Makhan Shah 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 to 6.

The contention of the petitioners is that both are major, aged 25 years and 29 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 09.08.2021 at Immam Davi Masjid according to Mohammdan law, rites and ceremonies. A copy of Nikahnama (Annexure P-3) issued by the aforesaid Masjid 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.

Learned counsel for the petitioners states that a representation dated 05.02.2022 (Annexure P-5) has also been submitted by the petitioners to the respondent No.2-Senior Superintendent of Police, Kapurthala.

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-Senior Superintendent of Police, Kapurthala 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-Senior Superintendent of Police, Kapurthala for requisite compliance.

The petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

March 02, 2022
Vishal sharma

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