

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 1358 of 2022
Date of Decision: 15.2.2022**

Navjot Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Kulwant Singh, Advocate for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. N.S.Swaich, Advocate for respondent No. 4.

SURESHWAR THAKUR, J. (ORAL)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of directions upon respondents No. 2 and 3 to give protection to the life and liberty of the petitioners, and, also against any interference in the peaceful life of the petitioners being made at the behest of private respondents.

2. The learned State Counsel, does not have any objection, to an order being made by this Court to the respondents concerned, to look into and decide through a speaking order, representation Annexure P-6.

3. Consequently, this Court directs respondents concerned, to within three weeks hereafter, hence decide Annexure P-6, through a speaking order.

4. However, at this stage, learned counsel appearing on behalf of co-respondent No. 4 submits, that the run-away marriage as has been

solemnized inter se the co-petitioners, is not valid in the eyes of law, as co-petitioner No. 2, without annulling, through a decree of the competent Court, his prior marriage, yet has solemnized marriage with co-petitioner No. 1

5. The afore made prayer does not, however, constrain this Court to not make the afore made direction, upon the official respondents concerned, as the remedy, if any, available to the legally wedded spouse of co-petitioner No. 2, rather to annul on the afore grounds, the run-away marriage, as has been solemnized inter se the co-petitioners, is through her casting a petition before the learned Civil Court concerned, and, therethroughs hers obtaining a decree for annulment of the marriage, which has been solemnized inter se the co-petitioners.

6. Obviously the afore liberty is reserved to the legally wedded spouse of co-petitioner No. 2.

7. Petition is disposed of.

8. A copy of this order be given dasti on payment of usual charges.

(SURESHWAR THAKUR)
JUDGE

February 15, 2022
Gurpreet

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