

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CRWP-1428-2022

Date of Decision:17.02.2022

Kamaldeep Kaur & another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

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

Ms. A.K. Khurana, D.A.G., Punjab.

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 Kamaldeep Kaur and Nahar Singh 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 8.

The contention of the petitioners is that both are major, aged 19 years and 21 years respectively. In support thereof, copy of the affidavit of petitioner No.1 (Annexure P-1) and copy of Aadhaar Card pertaining to the petitioner No.2(Annexure P-2) 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 10.02.2022 at Gurudwara Baba Deep Singh Ji Saheed, Chandigarh Road, Rajpura according to Sikh rites and ceremonies. A copy of marriage certificate (Annexure P-3) issued by the aforesaid Gurudwara 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, D.A.G., Punjab, has appeared and accepted notice on behalf of respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 10.02.2022 (Annexure P-4) has also been submitted by the petitioners to the respondent No.2-Senior Superintendent of Police, Malerkotla.

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 present petition is disposed of with the directions to respondent No. 2 -Senior Superintendent of Police, Malerkotla to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-4) 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, Malerkotla for requisite compliance.

The petition is disposed of.

February 17, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No