

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

109

**CRWP-1819-2022
Date of decision: 02.03.2022**

ANITA KUMARI AND ANRPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

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

Present:- Mr. Ankush Rampal, Advocate for the petitioners.

VINOD S. BHARDWAJ, J. (Oral)

The petitioners namely Anita Kumari and Mohammad Toffick 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 7.

The contention of the petitioners is that both are major, aged 24 years and 23 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 23.02.2022 at Moseque at Ambala Cantt. according to Muslim rites and rituals. A copy of Nikahnama/Marriage certificate (Annexure P-4) issued by the aforesaid Moseque 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. Ishneet Kaur, Asstt. 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 24.02.2022 (Annexure P-6) has also been submitted by the petitioners to the respondent No.2-Commissioner of Police, District Ludhiana.

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, District Ludhiana to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-6) 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, District Ludhiana for requisite compliance.

The petition is disposed of.

March 02, 2022
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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