

118 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No.2523 of 2022(O&M)

Date of Decision:21.03.2022

Mamta Rani and another

.....Petitioners

Versus

State of Punjab and others

..... Respondents

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

Present: Mr. Suman Kumari, Advocate
for the petitioners.

Ms. A.K. Khurana, DAG, Punjab.

Mr. Ranbir Sekhon, Advocate
for respondents No.4 to 8.

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, Mamta Rani and Gautam 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 8.

The contention of the petitioners is that petitioners can understand what is good and bad for them though age of petitioner no.2 is not marriageable. In support thereof, copy of the Aadhaar Card to the petitioners have been appended. The petitioners further contend that they love each other from last one year and both wants to perform marriage, but as petitioner no.2 has not attained the age of marriage, they want live together till the date of attaining majority for performing marriage. A copy of marriage invitation card is annexed as Annexure P-3. 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 13.03.2022 (Annexure P-4) has also been submitted by the petitioners to the respondent No.2- Senior Superintendent of Police, Fazilka, District Fazilka.

Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given. Without expressing any opinion on the merits of the case, the petition is disposed of with the directions to respondent No.2- Senior Superintendent of Police, Fazilka, District Fazilka, 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 respondent No.2-Senior Superintendent of Police, Fazilka, District Fazilka, for requisite compliance.

The petition is disposed of.

March 21, 2022

rekha sharma

**[VINOD S. BHARDWAJ]
JUDGE**

Whether speaking/reasoned : *Yes/No.*

Whether reportable : *Yes/No.*