

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

113

CRWP-2469-2022

Date of decision: 21.03.2022

HARPREET KAUR AND ANOTHERPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

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

Present:- Mr. Sanjeev K. Virk, Advocate for the petitioners.

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

Mr. Narinder S. Lucky, Advocate
for respondents No.4 to 7.

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 Harpreet Kaur and Jogi 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 19 years and 35 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 14.03.2022 at Shri Nirankari Darbar (Rawalpindi), Sector 21-B, Chandigarh according to Sikh rites and rituals. A copy of Marriage

certificate (Annexure P-3) issued by the aforesaid Shri Nirankari Darbar 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, DAG, Punjab appeared and accepted notice on behalf of respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 14.03.2022 (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.

Learned counsel appearing on behalf of respondent Nos.4 to 7 reiterates that the averments are incorrect and that there is no threat to the petitioners at the behest of the private respondents. He further submits that the private respondents would want to meet their daughter.

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.

March 21, 2022
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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