

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(131)

CRWP-3424-2022

Date of Decision : April 12, 2022

Kabita Banshkar (New Adopted name Aashma) and another
.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ilyas Khan, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioners are seeking a direction from this Court to respondents No. 1 to 3 to protect their life and liberty as they apprehend danger to their life & liberty from respondents No. 4 and 5 i.e. parents of petitioner No.1, who are objecting to the marriage solemnized by the petitioners.

Learned counsel for the petitioners argues that it is most likely that the private respondents might cause physical harm to the petitioners as they have solemnized the marriage against the wishes of respondents No. 4 and 5. Learned counsel for the petitioners further argues that both the petitioners are major in age and have solemnized marriage according to Muslim Rites on 05.04.2022 as petitioner No.1 adopted Muslim religion and they want to live their independent life without any interference from the

the petitioners has drawn attention of this Court to the representation dated 05.04.2022 (Annexure P-5) made by the petitioners to respondent No.2-the Senior Superintendent of Police, S.A.S Nagar, Mohali, seeking protection to their life and liberty.

Notice of motion to respondents No.1 to 3 only.

Mr. Amandeep Singh Gill, learned Senior Deputy Advocate General, Punjab, who is present in the Court, keeping in view the service of advance copy of petition, accepts notice on behalf of State of Punjab-respondents No.1 to 3.

Without making any observation on the merits of the case, especially in respect of the validity of marriage performed by the petitioners, a direction is issued to respondent No.2 to take appropriate decision on the representation, which the petitioners alleged to have made on 05.04.2022 (Annexure P-5), expressing apprehension about danger to their life and liberty at the hands of respondents No. 4 and 5 within a period of one month from the date of receipt of the copy of this order. In case any merit is found in the representation, the appropriate action will be taken by respondent No.2 to ensure that no harm is caused to the life and liberty of the petitioners at the hands of the private respondents.

It is clarified that this order shall not be treated as an approval of this Court about the marriage of the petitioners and no opinion with regard to the validity of the marriage has been expressed in this order.

The writ petition stands disposed of.

April 12, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No