

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

129

CRWP-4058-2022
Date of decision: 29.04.2022

SHAJAD KHAN AND ANR

... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present : Mr. Sarvesh Kumar Gupta, Advocate for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The petitioners namely Shajad Khan and Sheruna have approached this Court under Article 226 of the Constitution of India for seeking protection of their life and personal liberty from private respondent No.4.

The contention of the petitioners is that they are major, aged 26 years and 18 years respectively. In support thereof, copy of the Aadhar Cards pertaining to the petitioners have been appended. The petitioners further contend that they have performed marriage (*Nikah*) against the wishes of their parents. The marriage (*Nikah*) of the petitioners was solemnized on 28.04.2022 according to Muslim rites and ceremonies. A copy of marriage certificate (Annexure P-3) 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 Nos.1 to 3 only.

Pursuant to supply of advance copy, Mr. Karanbir Singh, AAG, Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 28.04.2022 (Annexure P-5) has also been submitted by the petitioners to the respondent No.2- Sr. Superintendent of Police, Mohali.

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-Sr. Superintendent of Police, Mohali to look into the grievances of the petitioners as set out in the petition and also expressed in the representation dated 28.04.2022 (Annexure P-5) and take appropriate action for protection of their lives and liberty as may be warranted by the circumstances. He is further directed to look into the matter after affording opportunity of hearing to all the concerned parties.

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-Sr. Superintendent of Police, Mohali for requisite compliance.

The petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

April 29, 2022
rajender

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>