

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

114

CRWP- 4400 of 2022
Date of Decision:10.05.2022

Shivani and another

---Petitioners

versus

State of Punjab and others

---Respondents

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

Present: Ms. Minaz Khan, Advocate
for the petitioners
Ms. Amarjit Kaur Khurana, DAG, Punjab

VINOD S. BHARDWAJ, J. (ORAL)

The petitioners namely Shivani and Gireesh Maithli have approached this Court under Article 226/227 of the Constitution of India for seeking protection of their lives and personal liberty from private respondents No. 4 to 11.

The contention of the petitioners is that both are major, aged 20 years and 21 years respectively. In support thereof, copies 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 04.05.2022 at Shree Aadi Shakti Ved Paathshaala, 215, Mansa Devi Market, MDC, Sector-4, Panchkula. A copy of marriage certificate (Annexure P-3) issued by the aforesaid Ved Pathshaala 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. Amarjit Kaur

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 05.05.2022 (Annexure P-5) has also been submitted by the petitioners to the respondent No.2-Senior Superintendent of Police, SAS Nagar 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 present petition is disposed of with the directions to respondent No. 2 -Senior Superintendent of Police, SAS Nagar Mohali, 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, SAS Nagar Mohali for requisite compliance

The petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

10.05.2022

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