

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

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**CRWP-5987-2022 (O&M)
Date of decision: 21.06.2022**

JEET KAUR AND ANR

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

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

Present : Mr. Gursharan Singh, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, DAG Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The petitioners namely Jeet Kaur and Shivam Verma have approached this Court under Article 226 of the Constitution of India for seeking protection of their life and personal liberty from private respondents Nos. 4 to 6.

Learned counsel appearing on behalf of the petitioners *inter alia* contends that petitioner No.1 is aged more than 19 years while petitioner No.2 is more than 25 years of age. The petitioner No.2 is doing the job as a computer operator at K.P. Knitware, Ludhiana at a salary of Rs.20,000/- per month and is thus capable to sustain himself and his wife. He contends that marriage between the parties was solemnized on 11.12.2021 and that while it is first marriage of petitioner No.1, the petitioner No.2 was already married and that he has one son out of the said wedlock and that his wife from the first marriage is no more staying with him and that they have in a social understanding decided to annul their marriage. It is contended that after the performance of the marriage between the parties, a petition for seeking protection was filed before the Court of Sessions, Ludhiana.

During the pendency of the aforesaid petition, a Panchayat was convened wherein the family members of the petitioner No.1 agreed to the aforesaid matrimonial alliance between the petitioners and assured the petitioner No.2 that they will arrange for the proper matrimonial ceremonies within a period of 10 days and that the girl may be allowed to accompany them. Believing the said assurance, the petitioner No.1 accompanied the private respondents and the petition for seeking protection preferred before the Additional Sessions Judge, Ludhiana was accordingly withdrawn vide order dated 13.12.2021. He submits that after the withdrawal of the said petition, the private respondents did not adhere to the assurance made by them and confined the petitioner No.1 so as to not allow her to leave the house or to meet petitioner No.2. That on 22.05.2022, petitioner No.1 managed to make good her escape from her parental home and reached the matrimonial house of petitioner No.2. She is apprehending that as a result of the aforesaid steps initiated by the petitioner No.1, the private respondents are grossly infuriated and apprehend severe action against themselves at the behest of the private respondents. It is further contended that a representation for seeking protection of life and liberty of the petitioners has already been submitted to the Commissioner of Police (wrongly mentioned as Senior Superintendent of Police, Ludhiana) on 27.05.2022.

Notice of motion restricted to respondents Nos.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 Nos.1 to 3.

Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

Without examining the question of legitimacy of the marriage or the

alleged divorce of petitioner No.2 with his previous wife and considering that the petitioners are residing together out of their free consent and freewill, the instant petition is disposed of with the directions to the Commissioner of Police, Ludhiana to look into the grievances of the petitioners as set out in the petition and also expressed in the representation dated 27.05.2022 (Annexure P-9) 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 the Commissioner of Police, Ludhiana for requisite compliance.

The petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

June 21, 2022

S.Sharma(syr)

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