

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.119

CRWP-6471-2022(O&M)
Date of decision: 07.07.2022

SANTOSHI TIRKEY AND ANOTHER

....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

....Respondents

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

Present: Mr. N.K. Paul, Advocate
for the petitioners.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

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VINOD S. BHARDWAJ, J. (Oral)

CRM-W-799-2022

Allowed as prayed for.

CRWP-6471-2022

The petitioners namely Santoshi Tirkey and Deepak Kumar have approached this Court under Article 226 of the Constitution of India for seeking protection of their life and personal liberty from private respondents No.4 to 6.

The contention of the petitioners is that they are major, aged 28 years and 31 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 03.07.2022

at Prachin Pashupati Nath Mandir, MDC, Sector-6 Panchkula, Haryana according to Hindu 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. Dhruv Dayal, Sr. DAG, Punjab has appeared and accepted notice on behalf of respondents Nos.1 to 3.

Learned counsel for the petitioners states that a representation dated 04.07.2022 (Annexure P-4) has also been submitted by the petitioners to the respondent No.2-Senior Superintendent of Police, District Hoshiarpur.

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-Senior Superintendent of Police, District Hoshiarpur to look into the grievances of the petitioners as set out in the petition and also expressed in the representation dated 04.07.2022 (Annexure P-4) 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, District Hoshiarpur for requisite compliance.

The petition is disposed of.

07.07.2022
Amandeep

(VINOD S. BHARDWAJ)
JUDGE

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