

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CRWP-6896-2022

Date of Decision:19.07.2022

Komalpreet Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Gautam Kaile, Advocate,
for the petitioners.

Ms. Amarjit Kaur Khurana, D.A.G., Punjab.

VINOD S. BHARDWAJ , J.(Oral)

The petitioners namely Komalpreet Kaur and Hanuk 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 8.

The contention of the petitioners is that petitioner No.1 is major, aged 19 years and petitioner No.2 is more than 20 years respectively. In support thereof, copies of Aadhar Cards pertaining to the petitioners (Annexures P-1 & P-2) 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 14.07.2022 at Radha Krishan Mandir Power Colony, Malikpur according to Hindu rites and ceremonies. A copy of marriage certificate (Annexure P-3) issued by the aforesaid Society 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, D.A.G., Punjab, has appeared and accepted notice on behalf of respondents No.1 to 3.

Mr. Gursharan Singh, Advocate, appears and accepts notice on behalf of respondent No.4 and files his power of attorney, which is taken on record.

Learned counsel for the petitioners states that a representation dated 15.07.2022 (Annexure P-5) has also been submitted by the petitioners to the respondent No.2-Senior Superintendent of Police, Gurdaspur, District Gurdaspur.

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, Gurdaspur, District Gurdaspur 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, Gurdaspur, District Gurdaspur for requisite compliance.

The petition is disposed of.

July 19, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No