

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

139

CRWP-6965-2022(O&M)
Date of decision: 21.07.2022

ROBIN KESAR AND ANOTHER

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

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

Present : Mr. Kuldeep Singh Siwach, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, DAG Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The petitioners namely Robin Kesar and Komal Kumari 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 and 5.

The contention of the petitioners is that they are major, aged 33 years and 30 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 15.07.2022 at Prachin Pashupati Nath Shiv Mandir (Regd.), MDC, Sector 6 Panchkula 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, Ms. Amarjit Kaur Khurana, 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 15.07.2022 (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 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 dated 15.07.2022 (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

July 21, 2022

S.Sharma(syr)

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