

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

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CRWP-7026-2022

Date of decision: 22.07.2022

NIKITA AND ANR.

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Rajinder Singh Basra, Advocate
for the petitioners.

Mr. Anupam Bansal, Addl. Public Prosecutor,
U.T. Chandigarh for respondents No.2, 4 and 6.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The petitioners namely Nikita and Jatinder Thakur have approached this Court under Article 226 of the Constitution of India for seeking protection of their lives and personal liberty from private respondent.

The contention of the petitioners is that both are major, aged 20 years and 34 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 19.07.2022 at Prachin Pashupati Nath Shiv Mandir Society, MDC, Sector-4, Panchkula as per Hindu rites and ceremonies.

A copy of Marriage Certificate issued by the aforesaid Gurudwara (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.

Learned counsel for the petitioner contends that he would be satisfied in case the Senior Superintendent of Police, Mohali is directed to look into the representation furnished by the petitioners since the petitioners are currently residing at CB 07, MTPL, Mona Township, Sector 115, Mohali.

Mr. Anupam Bansal, Addl. Public Prosecutor, U.T. Chandigarh appearing on behalf of respondents No.2, 4 and 6 has handed over a report from Police Station, Sector 31, Chandigarh to contend that the petitioners do not reside at the address disclosed in the petition i.e. H. No. 2860, First Floor, Sector 47-C, Chandigarh and that the same is occupied by one Raghbir Chand son of late Gopi Ram.

Learned counsel appearing on behalf of respondents No.2, 4 and 6 however contends that the petitioners were earlier residing there, however now they have shifted to Mohali and that their representation has already been submitted to Senior Superintendent of Police Mohali.

Notice of motion restricted to respondents No. 1, 3 and 5 only.

Pursuant to supply of advance copy, Ms. Amarjit Kaur Khurana, DAG, Punjab has appeared and accepted notice on behalf of respondents No.1, 3 and 5.

Learned counsel for the petitioners states that a

representation dated 19.07.2022 (Annexure P-5) has also been submitted by the petitioners to the respondent No.3-Senior Superintendent of Police, 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, 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, Mohali for requisite compliance.

The petition is disposed of.

JULY 22, 2022

Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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