

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-7078 of 2022

Date of Decision:25.07.2022

Kumkum and another

---Petitioners

versus

State of Punjab and others

---Respondents

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

Present: Mr. Deepak Kumar Bartia, Advocate
for the petitioners

Ms. Amarjit Kaur Khurana, DAG, Punjab

VINOD S. BHARDWAJ, J. (ORAL)

The petitioners namely Kumkum and Raju have approached this Court under Article 226 of the Constitution of India for seeking protection of their lives and personal liberty from private respondents No.4 to 6.

The contention of the petitioners is that both are major, aged 18 years and 22 years respectively. In support thereof, copies 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 20.07.2022 at Shri Aadi Shakti Ved Pathsala (Regd.), 215, Mansa Devi Market, NDC Sector-4, Panchkula. A copy of marriage certificate (Annexure P-3) issued by the aforesaid Pathsala 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, DAG, Punjab, has appeared and accepted notice on behalf of respondents No.1 to 3.

Learned counsel for the petitioners states that a representation

dated 20.07.2022 (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 present 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 (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

25.07.2022

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No