

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

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**CRWP No.7385 of 2022 (O&M)
Date of Decision: 02.08.2022**

Manpreet Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. S.K. Choudhary, Advocate
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

CRM-W No.975 of 2022

Heard.

Keeping in view the reasons as mentioned in the application,
the same is allowed.

CRWP No.7385 of 2022

By way of the instant petition, both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 6 because they (petitioners) have solemnized their marriage against the wishes of these respondents. It has also been mentioned in this petition that a representation (Annexure P-5) has already been moved to respondents No.2 and 3 in this regard.

Notice of motion to respondents No.1 to 3 only.

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Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who has appeared on behalf of respondents No.1 to 3 in this case in pursuance of the copies of the present petition having been sent to the respondent-State in advance, accepts the notice on behalf of these respondents.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 only to look into and take appropriate action on the said representation of the petitioners, i.e. Annexure P-5.

Learned State counsel has no objection for the same.

However, it is pertinent to mention here that as per the averments as set-forth in para No.14 in the petition, both the petitioners have contracted second marriage after petitioner No.1 was granted the divorce from her first husband and the demise of the spouse of petitioner No.2 but however, neither the judgment and decree qua the dissolution of the first marriage of petitioner No.1 nor the death-certificate of the wife of petitioner No.2 have been placed on the file to substantiate the above-said averments.

Be that as it may, keeping in view the intent of the fundamental right as enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the afore-discussed limited prayer as made by learned counsel for the petitioners and without commenting or expressing any opinion on the

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legality and validity of the marriage as stated to have been solemnized between the petitioners, respondent No.2-Senior Superintendent of Police, Pathankot, is hereby directed to look into the said representation (Annexure P-5) of the petitioners and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be a shield to the petitioners against any action/proceedings already initiated or intended/contemplated to be initiated against them by the competent authority/person on account of their said marriage and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

02.08.2022
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(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>