

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

129

**CRWP No.9653 of 2022
Date of Decision:-07.10.2022**

Mohini Devi and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Karandeep Singh, Advocate
for the petitioners.

NIDHI GUPTA J.(Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioners, who have married against the wishes of private respondents i.e. respondents No.4 to 9.

Petitioner No.1-Mohini Devi is stated to be born in the year 1998 and for this purpose, reference has been made to Aadhar Card (Annexure P-1). Petitioner No.2-Krishan Lal is stated to be born on 05.09.1996 and for the said purpose, reference has been made to Aadhaar Card (Annexure P-2). The petitioners have solemnized Marriage on 03.10.2022. A copy of the Marriage Certificate of the petitioners is annexed to the petition as Annexure P-3.

Notice of motion.

Mr. Mohit Kapoor, Addl. A.G., Punjab appears and accepts

notice on behalf of respondents Nos.1 to 3 and has stated that he/she has no objection in case respondent no.2-Senior Superintendent of Police, Fazilka is directed to look into the representation of the petitioners on the aspect of threat perception and to take appropriate action, in accordance with law.

This Court has heard learned counsel for the parties.

It goes without saying that the protection of life and liberty is a basic feature of the Constitution of India as emanating out of Article 21. Every person, more so, a major, has right to live his/her life with a person of his/her choice. Whenever this Court, prima-facie, is satisfied that on account of some relatives/ persons being unhappy with the relationship between the petitioners could cause harm to the life and liberty of the petitioners, then in such circumstances, the Courts are required to pass necessary directions for their protection.

Keeping in view the abovesaid facts and circumstances, this Court deems it appropriate to dispose of the present petition with a direction to respondent no.2 to consider the representation dated 04.10.2022 (Annexure P-4) and to assess the threat perception to the petitioners and after considering the same, respondent No.2 shall take appropriate action in accordance with law.

Accordingly, the petition stands disposed of with abovesaid directions.

October 07, 2022
Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No