

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-9874-2022

Date of decision : 21.12.2022

VEERPAL KAUR & ANR.

... Petitioners

Versus

STATE OF PUNJAB & ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Lalit Attri, Advocate for the petitioners.

Ms. Ramta Chaudhary, DAG, Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Article 226 of the Constitution of India is for the issuance of directions to respondent Nos.1 to 3 to provide adequate security and protection to the petitioners from respondent Nos.4 and 9 and with a further prayer to direct the said respondents not to harass and interfere in the married life of the petitioners.

2. The learned counsel for the petitioners contend that the petitioners had run away from their village and solemnized their marriage on 22.07.2019 at Arya Samaj Vivah Mandir Trust (Regd.), K-Block Market, Kavi Nagar, Ghaziabad (U.P.) (Annexure P-3). Thereafter, they got their marriage registered at Registration Office, Ghaziabad (U.P.) (Annexure P-4). However, after solemnizing the marriage when the petitioners informed their respective family members, the family members of petitioner No.1 started threatening the petitioners and prevented them from entering their native village saying that they

would have to face dire consequences in case they entered the village. Thereafter, the petitioners started living in the house of the maternal uncle of petitioner No.2 at Village Rajgarh Kubbe, District Bathinda. However, since they wished to come back and live in their native village, they faced threats to their life and therefore sent a representation dated 11.10.2022 (Annexure P-5) to the office of respondent No.2-The Senior Superintendent of Police, Ferozepur, Punjab but since no action was taken, they had filed the present petition.

3. Notice of motion was issued on 17.10.2022 and a short reply dated 19.11.2022 was filed on behalf of respondent Nos.1 to 3 by the learned State counsel by way of an affidavit of Yadwinder Singh, PPS, Deputy Superintendent of Police, Sub Division Guruharsahai, District Ferozepur.

As per the said reply, the family members of petitioner No.1 (respondent Nos.4 to 9) have categorically stated that the relatives and respectable persons of the village have an objection to the petitioners coming back and residing in the village and they would not be allowed to do so. However, as the petitioners could not be contacted by the Investigating Agency, therefore, it was stated that in case the petitioners contacted the Investigating Agency, necessary action would be taken to ensure their safety and if need be adequate security would be provided to them.

4. Today, the learned State counsel has informed the Court that the petitioners have contacted the Investigating Agency and have reiterated their desire to come back and reside in their village Chugga,

Tehsil Guruharsahai.

5. I have heard the learned counsel for the parties.

6. As per the petitioners, they solemnized their inter-caste marriage in 2019 and now, the petitioner No.1 is pregnant and wishes to reside in her native village. The State reply makes it apparent that the family members of petitioner No.1 and other co-villagers have a serious objection to the return of the petitioners. Therefore, certainly, there appears to be a genuine threat to the life and liberty of the petitioners in case of their return to their native village Chugga, Tehsil Guruharsahai.

7. In view of the above, the present petition is disposed of with the directions to respondent Nos.2 and 3 to provide adequate security to the petitioners and take all such necessary steps as required to ensure the protection of their life and liberty.

8. Disposed of.

(JASJIT SINGH BEDI)
JUDGE

21.12.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No