

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP 943 of 2023

Date of Decision: February 02, 2023

Sukhwinder Kaur and another

.....Petitioners

Versus

State of Punjab and ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Swati Verma, Advocate for the petitioners.

HARKESH MANUJA, J (ORAL)

Present criminal writ petition under Article 226 of the Constitution of India has been filed by the petitioners praying for protection to their life and liberty, in view of the marriage solemnized by them against the wishes of respondents No.4 to 7.

At the first instance, learned counsel for the petitioners submits that there has been a typographical mistake in para 2 of the petition as regards the age of petitioner No.1 which has been wrongly typed as 20.03.2020; whereas the same being 20.03.2000, can be ascertained from the photocopy of aadhar card of petitioner No.1 (annexure P-1 page 19) of the paper-book.

Notice of motion.

Mr.Tarun Aggarwal, Sr.DAG, Punjab, accepts notice on behalf of respondents No.1 to 3 and requisite copies of the petition have already been supplied to the State by the learned counsel for the petitioners.

Paper-book reveals that marriage of petitioners No.1 and 2 was solemnized on 17.01.2023. The documents annexed by the petitioners

with the petition including their **Aadhar Cards (P-1 and P-2)** show that both are major and duly identified by their counsel, but apprehending danger to their life and liberty at the hands of respondents No.4 to 7.

Apprehending threat to their life and liberty, petitioners have already approached respondent No.2 by way of representation dated 27.01.2023.

Therefore, the present petition is disposed off, with a direction to respondent No.2- Senior Superintendent of Police, Batala, to look into the representation dated 27.01.2023 and in case he finds any threat perception to the petitioners, appropriate steps be taken to protect their life and liberty and also ensure that no harm is caused to the petitioners by forcibly taking them in custody on the allegations that petitioner No.1 has been kidnapped, abducted or raped by petitioner No.2.

However, it is made clear that this order may not be construed as expression of an opinion on legality and validity of the marriage of the petitioners.

In case, any criminal case is pending against petitioner No.2, this order shall not be any hindrance for the Investigating agency to proceed according to law.

February 02, 2023
sanjay

[HARKESH MANUJA]
JUDGE

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no