

CRWP-970-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 02.02.2023

Shobha Rani and another

.....Petitioners

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Parminder Singh, Advocate, for the petitioners.

SANJAY VASHISTH, 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 provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

2. Learned counsel for the petitioners submits that petitioner No.1 – Shobha Rani, aged about 20 years and petitioner No.2 – Sandeep, aged about 21 years, have solemnized *inter caste* marriage on 30.01.2023, against the wishes of their family members, arrayed as respondents No.4 and 5. Learned counsel for the petitioners further submits that it is the first marriage of both the petitioners. It has been submitted that the private respondents are threatening to interfere in the matrimonial life of the petitioners. Hence, the petitioners are seeking protection in that regard and have approached this Court by way of filing the instant petition. They have also submitted a representation dated 30.01.2023 (Annexure P-5), to respondent No.2 – Commissioner of Police, Ludhiana, District Ludhiana, wherein, they have expressed their apprehension.

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4. On asking of the Court, Mr. Vinay Kumar Gupta, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3 (State). Mr. Jasdeep Singh, Advocate has put in appearance on behalf of respondent No.4 and filed his Power of Attorney.
5. Learned counsel for respondent No.4 states that the private respondents i.e. parents of petitioner No.1, have no objection to the marriage performed by the petitioners. However, respondent No.4 (father of petitioner No.1) wishes to meet his daughter and perform all the customary rituals of the marriage according to the norms of the society.
6. In view of the above, a direction is hereby issued to respondent No.2 – Commissioner of Police, Ludhiana, District Ludhiana, to look into the representation dated 30.01.2023 (Annexure P-5), *qua* threat perception, and if there is any substance in it, take necessary steps, in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of the private respondents.
7. However, this direction will not validate the marriage said to have taken place between the parties and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.
8. Respondent No.4 is granted liberty to make his submissions as recorded above, before respondent No.2 – Commissioner of Police, Ludhiana, District Ludhiana.
9. The present petition is disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

02.02.2023

Nisha-I

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No