

CRWP-961-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 02.02.2023

Simrat Kaur and another

.....Petitioners

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rajesh Nain, 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 – Simrat Kaur, aged about 19 years and petitioner No.2 – Bablu Singh, aged about 26 years, have solemnized marriage on 30.01.2023, against the wishes of their family members, arrayed as respondents No.4 to 10. 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-7), to respondent No.2 – Senior Superintendent of Police, Fatehgarh Sahib, wherein, they have expressed their apprehension.

3. Notice of motion.

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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. Umesh Narang, Advocate puts in appearance on behalf of respondents No.4 to 10 and submits that he has got instructions from his clients that they do not have any objection to the marriage of the petitioners. However, they wish that the petitioners should come back to their house and complete all the rituals required in the society for performing the marriage.

5. In view of the above, direction is hereby issued to respondent No.2 – Senior Superintendent of Police, Fatehgarh Sahib, to look into the representation dated 30.01.2023 (Annexure P-7), *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.

6. 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.

7. Considering the statement of the learned counsel appearing on behalf of respondents No.4 to 10, it is also directed that respondent No.2 – Senior Superintendent of Police, Fatehgarh Sahib would consider the submissions of respondents No.4 to 10 as recorded above and would also see as to whether the protection is required to be provided to the petitioners or not.

(SANJAY VASHISTH)
JUDGE

02.02.2023

Nisha-I

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No