

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-1020-2023 (O&M)

Decided on 03.02.2023

Komalpreet Kaur & Anr.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Raghav Singh Chandiwalla, Advocate for the petitioners

Mr. Rajiv Verma, DAG Punjab

Sandeep Moudgil, J.

(1) Learned counsel for the petitioners seeks protection of life and liberty of the petitioners by contending that both of them want to marry each other against the wishes of their respective family members respondent Nos.4 to 8 and to seek appropriate protection from the authorities. They submitted a representation dated 30.01.2023 (Annexure P3) in this regard to the Sr. Superintendent of Police, Sri Muktsar Sahib but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

(2) Notice of motion.

(3) On the asking of the Court, Mr. Rajiv Verma, DAG Punjab accepts notice on behalf of the respondents No.1 to 3. A copy of the paper-book be handed over to him during the course of the day.

(4) Though petitioner No.1 is yet to acquire majority, as can be seen from the copies of documents filed, yet since they have apprehended danger at the hands of their family members, this appears to be a fit case for this Court to invoke the inherent powers under Section 482 of the Cr.P.C. and in

view of the mandate contained in Article 21 of the Constitution of India to protect the citizen's right to life and liberty.

(5) Thus, the Sr. Superintendent of Police, Sri Muktsar Sahib is directed to consider the representation (Annexure P3) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

(6) It is nevertheless clarified that this order would not ipso facto amount to granting any seal of approval on the legality of their relationship. Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

(7) The petition is disposed of with the above direction.

03.02.2023
V.Vishal

(Sandeep Moudgil)
Judge

- 1. *Whether speaking/reasoned?*
- 2. *Whether reportable?*

Yes/No
Yes/No