

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRWP-1396-2023

Decided on : 14.02.2023

Kamaljit Singh and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vinay Puri, 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.1 to 3, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

Both the petitioners are married and are of marriageable age, as per law. Petitioner No.1-Kamaljit Singh is Sikh by religion and petitioner No.2-Aashia is Mohammedan. However, marriage ceremonies have been performed as per rituals of Sikh religion and, thus, both are living as husband and wife together.

2. Learned counsel for the petitioners submits that petitioner No.1 – Kamaljit Singh, aged about 26 years and petitioner No.2 – Aashia, aged about 19 years, have solemnized marriage on 06.02.2023, against the wishes of their family members, arrayed as respondents No.4 to 8. 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 07.02.2023 (Annexure P-5), to respondent No.2 – Senior Superintendent of Police, Khanna, District Ludhiana, wherein, they have expressed their apprehension.

3. Notice of motion.

4. On asking of the Court, Mr. Gurlal Singh Dhillon, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3 (State).

5. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, Khanna, District Ludhiana, to look into the representation dated 07.02.2023 (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.

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.

(SANJAY VASHISTH)
JUDGE

February 14, 2023
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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*