

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

116

CRWP-1566-2023

Decided on : 17.02.2023

Seema and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Loveleen Nanda, Advocate for
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 the official respondents, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

2. Counsel for the petitioners submits that it is the third marriage of petitioner No.1, and first marriage of petitioner No.2. First marriage performed by petitioner No.1 was dissolved by way of decree of divorce dated 05.04.2017, passed in HMA No. 457 of 2016, passed by Ld. District Judge, Yamuna Nagar at Jagadhri (Annexure P-6), and second marriage of petitioner No.1 was dissolved vide judgment and decree dated 14.11.2022, passed in CIS No. HMA/311/2022, passed by Ld. Addl. Principal Judge, Family Court, Yamuna Nagar (Annexure P-7). Thus, present marriage of the petitioners is a valid one.

3. Learned counsel for the petitioners submits that petitioner No.1 – Seema, aged about 35 years and petitioner No.2 – Gurvinder Singh, aged about 24 years, have solemnized marriage on 26.01.2023, against the wishes

of their family members, arrayed as respondents No.4 & 5. 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 27.01.2023 (Annexure P-5), to respondent No.2 – Senior Superintendent of Police, SAS Nagar, Mohali, wherein, they have expressed their apprehension.

4. Notice of motion.

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

6. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, SAS Nagar, Mohali, to look into the representation dated 27.01.2023 (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.

(SANJAY VASHISTH)
JUDGE

February 17, 2023

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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*