

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

112

**CRWP-1435-2023
Decided on : 15.02.2023**

Arshpreet Kaur and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vaneet Thakur, Advocate
for the petitioner(s).

Mr. Gurlal Singh Dhillon, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to official respondents No.1 to 3, 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 petitioner No.1 was earlier married to one Baljeet Singh son of Bhola Singh, resident of Village Gholian Khurd, Tehsil Nihal Singh Wala, District Moga, and said marriage was dissolved by way of judgment and decree dated 02.12.2022, passed by the Court of Ld. Addl. Principal Judge, Family Court, Jalandhar (Camp Court at Phillaur) (CIS No.DMC/2070/2021, CNR No.PBJL010139422022).

3. During the course of hearing, counsel for the petitioners has placed on record, the photocopy of the said judgment dated 02.12.2022, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

4. Learned counsel for the petitioners submits that petitioner No.1

– Arshpreet Kaur, aged about 27 years and petitioner No.2 – Gurgopal Singh, aged about 26 years, have solemnized marriage on 02.02.2023, against the wishes of their family members, arrayed as respondents No.4 to 11. Learned counsel for the petitioners further submits that it is second marriage of petitioner No.1 and first marriage of petitioner No.2. 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 05.02.2023 (Annexure P-5), to respondent No.2 – Sr. Superintendent of Police, Tarn Taran, wherein, they have expressed their apprehension.

5. Notice of motion.

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

7. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Sr. Superintendent of Police, Tarn Taran, to look into the representation dated 05.02.2023 (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.

However, it is clarified that if petitioners are found to be entitled for the protection cover by respondent No.2, he would examine the correctness of the fact of dissolution of marriage of petitioner No.1 with her earlier husband i.e. Baljeet Singh son of Bhola Singh

8. 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 15, 2023
J.Ram

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