

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

116

CRWP-1511-2023

Decided on : 16.02.2023

Himanshu Arora and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mohd. Yousaf, 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 & 3, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

Learned counsel for the petitioners submits that petitioner No.1 – Himanshu Arora, aged about 22 years and petitioner No.2 – Khushboo Dhand, aged 21 years, have solemnized marriage on 09.02.2023, against the wishes of their family members, arrayed as respondents No.4 to 9. 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.

Counsel points out that inadvertently date of representation (Annexure P-5) addressed to respondent No.2 – Senior Superintendent of Police, Malerkotla, has been mentioned as 13.02.2023 whereas actual date of representation prepared and sent through e-mail is 09.02.2023, wherein, they have expressed their apprehension.

Notice of motion.

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

In view of the above, the present petition is disposed of with a

direction to respondent No.2 – Senior Superintendent of Police, Malerkotla, to look into the representation dated 09.02.2023 (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, 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.

Mr. Rahul Vohra, Advocate, puts in appearance on behalf of respondent No.4-Naresh Dhand and files his *power of attorney* in Court today, which is taken on record, subject to all just exceptions. Office is directed to tag the same at appropriate place.

It is made clear that in case, parents of petitioner No.2-Khushboo Dhand, wishes to meet their daughter, they are free to express their desire to the Senior Superintendent of Police, Malerkotla (respondent No.2), who would consider their submissions and examine the situation and if he/she thinks it appropriate, permission may be granted to the parents of petitioner No.2 to meet their daughter.

(SANJAY VASHISTH)
JUDGE

February 16, 2023

k.nain

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>