

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

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CRWP-1522-2023

Decided on : 16.02.2023

Surinder Pal Singh and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Nitin Sharma, 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.

Counsel submits that petitioner No.1-Surinder Pal Singh was earlier married to one Narinder Kaur and out of said wedlock, two children were born i.e. Kamalpreet Kaur, now aged 17 years and Navdeep Singh, now aged 8 years. Narinder Kaur- first wife of petitioner No.1 got expired on 20.09.2020 (which is inadvertently mentioned as 20.09.2022 in the petition). Death certificate is also attached herewith as Annexure P-1.

Counsel further submits that petitioner No.2-Gurwinderjit Kaur was earlier married to on Manpreet Singh s/o Manohar Singh r/o Amritsar and out of said wedlock two children were born. Thereafter, due to not having cordial relations with each other, both of them (petitioner No.2 and Manpreet Singh) got separated by way of decree of divorce under Section 13B of Hindu Marriage Act, vide judgment and decree dated 08.02.2022 (Annexure P-2).

Counsel also submits that both the children from the first wife of petitioner No.1-Surinder Pal Singh and younger daughter of petitioner No.2-Gurwinderjit Kaur namely Navpreet Kaur, would remain with petitioners. Thus, counsel submits that all the three children would be looked after for their better future career by the petitioners.

Counsel for the petitioners submits that petitioner No.1 – Surinder Pal Singh, aged 45 years and petitioner No.2 – Gurwinderjit Kaur, aged 37 years, have solemnized marriage on 18.01.2023, against the wishes of their family members, arrayed as respondents No.4 to 17. 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 06.02.2023 (Annexure P-7) which was sent vide registered post dated 07.02.2023, to respondent No.2 – Senior Superintendent of Police (Rural), Jalandhar, 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 (Rural), Jalandhar, to look into the representation dated 06.02.2023 (Annexure P-7), *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.

(SANJAY VASHISTH)
JUDGE

February 16, 2023

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