

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

CRWP-2703-2023

Date of Decision: March 20, 2023

SMILY AND ANOTHER

..... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Subhash Kumar, Advocate for petitioners.

HARKESH MANUJA, J. (ORAL)

Present criminal writ petition under Article 226/227 of the Constitution of India has been filed by the petitioners praying for protection to their life and liberty, in view of the marriage solemnized by them against the wishes of respondent No.4.

Notice of motion.

Mr. Tarun Aggarwal, Sr. D.A.G. Punjab accepts notice on behalf of respondents No.1 to 3 and requisite copies of the petition have already been supplied to the State by the learned counsel for the petitioners.

Paper-book reveals that marriage of petitioners No.1 and 2 was solemnized on 13.03.2023. The documents annexed by the petitioners with the petition including their **Aadhar Cards (P-1 and P-2)** show that both are major and duly identified by their counsel, but apprehending danger to their life and liberty at the hands of respondent No.4.

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Apprehending threat to their life and liberty, petitioners have already approached respondent No.2 by way of representation dated 14.03.2023, who shall look into the same and in case he finds any threat perception to the petitioners, appropriate steps be taken to protect their life and liberty.

Therefore, the present petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, Pathankot, to look into the matter and ensure that no harm is caused to the petitioners by forcibly taking them in custody on the allegations that petitioner No.1 has been kidnapped, abducted or raped by petitioner No.2.

However, it is made clear that this order may not be construed as expression of an opinion on legality and validity of the marriage of the petitioners.

In case any criminal case is pending against petitioner No.2, this order shall not be any hindrance for the Investigating agency to proceed according to law.

20.03.2023
tejwinder

(HARKESH MANUJA)
JUDGE

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