

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

CRWP-3320-2023

Date of decision : 11.04.2023

Vishal and another

.....Petitioners

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Karandeep Singh, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Present petition has been filed under Article 226 of the Constitution of India for directing the official respondents No.2 and 3 to protect the life and liberty of the petitioners and not to interfere in their peaceful life at the behest of respondents No.4 to 6 and also for directing the official respondents to ensure the security of life and liberty of the petitioners.

It has been contended by counsel for the petitioners that both the petitioners are of the age of majority and with their free consent, both are married to each other. He submits that there is an apprehension of danger to their life and liberty from respondents No.4 to 6. Their marriage certificate and photographs evidencing their marriage are on record as Annexures P-3 and P-4. The petitioners have submitted a representation dated 05.04.2023 (Annexure P-5) to respondent No.2.

Notice of motion.

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On the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of the State. Mr. Ajaivir Singh, Advocate accepts notice on behalf of respondents No.4 to 6. He submits that there is an FIR No.0042 dated 07.04.2023, under Sections 346, 380, 34 of IPC, at Police Station Maqsudan against petitioner No.1 and his family members. He submits that the petitioner would take disadvantage of the protection granted by this Court.

After hearing counsel for the parties and perusing the record, the present petition is disposed of direction to respondent No.2-Senior Superintendent of Police, Jalandhar, District Punjab to decide the representation (Annexure P-5) of the petitioners and grant them protection, if any threat to their life and liberty is perceived. It is being made clear that the protection granted by this Court would grant no immunity to the petitioners if they have committed any cognizable offence and the investigating agency would be free to proceed against them in accordance with law. This order would not be understood having expressed any opinion whatsoever by this Court on the validity of the marriage of the petitioners.

Disposed of

(RAJESH BHARDWAJ)
JUDGE

11.04.2023
m. sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No