

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CRWP-3535-2023
Decided on :17.04.2023

Seema Devi and another . . . Petitioner(s)

Versus

State of Punjab and others . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Johny, Advocate for the petitioners.

SANJAY VASHISTH, J. (Oral)

1. Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to 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. Learned counsel for petitioners submits that petitioner No.1 – Seema Devi, aged about 22 years and petitioner No.2 –Gulshan Kumar , aged about 27 years, have got married on 01.11.2019 against the wishes of their family members, arrayed as respondents No. 4 to 7. It is first marriage of both the petitioners. It has been further submitted that private respondent are threatening to interfere in the matrimonial life of petitioners. Hence, 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 11.04.2023 (Annexure P-7), to respondent No.2 -Senior Superintendent of Police, Pathankot, Punjab, wherein, they have expressed their apprehension.
3. Notice of motion.
4. On advance notice, Mr. J. S. Arora, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent Nos. 1 to 3

5. At this stage, Mr. Santosh Kumar, Advocate appears and files his vakalatnama on behalf of respondents No. 4 and and same is taken on record. Registry is directed to tag the same at appropriate place. He submits that if any direction is passed for granting protection to the petitioners through the Senior Superintendent of Police, Pathankot, parents of petitioner No. 1 be also afforded an opportunity to appear before the authorities and to make submission in regard to the well being of their daughter by submitting all the facts.

6. In view of the above, present petition is disposed of with a direction to respondent No.2 -Senior Superintendent of Police, Pathankot, Punjab, to look into the representation dated 11.04.2023 (Annexure P-7), *qua* threat perception and if there is any substance in it, take necessary steps, in accordance with law, to ensure that lives and liberty of petitioners is not jeopardized at the hands of the private respondents.

7. However, it would be open for respondent No. 2-Senior Superintendent of Police, Pathankot, Punjab, to give chance of hearing to the parents of petitioner No. 1 also, if granting of such opportunity may help in developing some harmony in the relations, as per his/her wisdom.

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.

9. Disposed of.

(SANJAY VASHISTH)
JUDGE

17.04.2023

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No