

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109

CRWP-3903-2023

Decided on : 25.04.2023

Simran Kaur and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Gurjant Singh Swaich, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Petitioner No.1-Simran Kaur, aged 24 years and petitioner No.2 –Paramjot Singh, aged about 28 years have filed the instant petition for seeking directions to respondents No.1 & 2 to protect their lives and liberty which is stated to be at risk at the hands of respondents No.4 to 8, who are family members of petitioner No.1.

2. Counsel for the petitioners further submits that petitioner No.2 was earlier married to one Gurdev Kaur, d/o Sh. Gursewak Singh r/o Village Bhaini Sahib, Tehsil and District Ludhiana. However, by way of mutual divorce decree dated 08.02.2023 passed by the Court of Principal Judge, Family Court Ludhiana, Camp Court at Samrala, said marriage was dissolved under Section 13(B) of the Hindu Marriage Act. Photocopy of the judgment dated 08.02.2023 is placed on record by the petitioners today in Court, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

3. Learned counsel for the petitioners submits that both the petitioners have solemnized marriage on 19.04.2023, against the wishes of

their family members, arrayed as respondents No.4 to 8. 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 19.04.2023 (Annexure P-5), to respondent No.2 – Senior Superintendent of Police, Khanna, wherein, they have expressed their apprehension.

4. Notice of motion.

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

6. At this stage, Mr. Harvinder Pal Singh Ghuman, Advocate, puts in appearance on behalf of respondents No.4 & 6 and files his *Vakalatnama* in Court today, which is taken on record, subject to all just exceptions. Office is directed to tag the same at appropriate place.

He submits that though respondents No.4 & 6 are not averse to the matrimonial relations of the petitioners, however, if the parents are afforded a chance, they wish to meet both of them & then to perform the marriage of the petitioners as per customs.

7. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, Khanna, to look into the representation dated 19.04.2023 (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.

As far as wish of the private respondents as stated and recorded hereinabove is concerned, if same is made before the respondent No.2-

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Senior Superintendent of Police, Khanna, he/she would examine the situation and if as per his own wisdom, request made by the private respondents is found to be genuine, he/she may allow the request of meeting of the parties under protection cover.

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.

(SANJAY VASHISTH)
JUDGE

April 25, 2023
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No