

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CRWP-3945-2023

Decided on : 26.04.2023

Akash Rani and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sanjeev K. Virk, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to official respondents No.2 & 3, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

2. Learned counsel for the petitioners submits that petitioner No.1 – Akash Rani, aged 26 years and petitioner No.2 – Robert Hans, aged 22 years, have solemnized marriage on 19.04.2023, against the wishes of their family members, arrayed as respondents No.4 to 8. Learned counsel for the petitioners further submits that it is the first marriage of both the petitioners. 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 20.04.2023 (Annexure P-5), to respondent No.2 – Senior Superintendent of Police, Kapurthala, wherein, they have expressed their apprehension.

Counsel for the petitioners submits that all the relevant

CRWP-3945-2023

documents i.e. Aadhar Card and certificates are lying in possession of the private respondents No.4 & 5, who are parents of the petitioner No.1 and despite of asking, said documents are not returned to the petitioners.

3. Notice of motion.
4. On asking of the Court, Mr. Anmol Singh Sandhu, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3 (State).
5. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, Kapurthala, to look into the representation dated 20.04.2023 (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.
6. 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.
7. Respondent No.2-Senior Superintendent of Police, Kapurthala, would also consider the complaint in regard to the not handing over the documents by respondents No.4 & 5 to their daughter i.e. petitioner No.1-Akash Rani.

(SANJAY VASHISTH)
JUDGE

April 26, 2023
k.nain

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