

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

**CRWP-4117-2023
Date of decision: 01.05.2023**

Sukhpreet Kaur and another **....Petitioners.**

Versus

State of Punjab and others **....Respondents.**

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Sandeep Kumar Bokolia, Advocate, for the petitioners.

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SANJIV BERRY, J.

This is a petition filed under Article 226 of the Constitution of India for directions to respondents No. 2 and 3 to protect the life and liberty of the petitioners at the hands of private respondent No. 4.

Learned counsel for the petitioners submits that the petitioners, both major, have solemnized their marriage on 01.03.2019 according to Sikh rites and ceremonies. He also refers to the Aadhar Cards (Annexures P-1 and P-2) of the petitioners to show that the petitioners are major.

Learned counsel for the petitioners further submits that petitioner No. 1 was earlier married to respondent No. 4, namely Jasmail Singh. Due to continuous dispute between them, they decided to live separately and decided not to interfere in the lives of each other on the basis of panchayati divorce.

It is further submitted by learned counsel for the petitioners that both the petitioners are living happily but in the year 2023 respondent No. 4 has started harassing the petitioners and threatening to kill them.

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They apprehend danger to their life and liberty from said respondent No. 4 and in this regard they have already moved a representation dated 24.04.2023 (Annexure P-3) before respondent No. 2 -Senior Superintendent of Police, District Moga.

Notice of motion.

On the asking of the Court, Mr. Shubham Kaushik, Assistant Advocate General, Punjab, present in Court, accepts notice on behalf of the State-respondents No. 1 to 3.

Without commenting on the validity of the marriage and the inter se relationship of the parties, the petition is disposed of with the direction to respondent No. 2 -Senior Superintendent of Police, District Moga, to consider the representation dated 24.04.2023 (Annexure P-3) keeping in view the facts and circumstances of the case and if so warranted, take action, to ensure protection to the life and liberty of the petitioners, strictly in accordance with law.

This order is not to be construed as any opinion with regard to the age of the petitioners or factum or validity of their marriage in any civil or criminal proceedings nor the petitioners would be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

(SANJIV BERRY)
JUDGE

01.05.2023
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i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No