

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CRWP-4155-2023 (O&M)
Decided on : 05.05.2023

Shabnam and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Kunal Sarangal, Advocate for
Ms. Sukhveer Kaur, Advocate for the petitioners.

Mr. J. S. Arora, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Petitioners Shabnam, aged 24 years and Dimi Gill, aged 37 years have filed the present petition seeking direction to respondents NO. 1 to 3 to provide protection to their lives and liberty, which is stated to be at danger at the hands of private respondents No. 4 and 5.

2. Learned counsel for petitioners submits that petitioners have got married on 25.04.2023 against the wishes of their family members, arrayed as respondents No. 4 and 5. Counsel submits that it is first marriage of both the petitioners. However, parents of petitioner No. 1- Shabnam are against the said marriage, therefore, petitioners are feeling apprehensive of danger to their lives and liberty. Counsel also submits that in this regard, one representation dated 26.04.2023 (Annexure P-5) has been sent through registered post on 27.04.2023, to respondent No.2 – Senior Superintendent of Police Rural, District Jalandhar, Punjab, but no remedial steps are being taken.

3. Notice of motion to respondents No. 1 to 3 only.

4. At the time of hearing, on 01.05.2023, to know about the credentials of both the petitioners, learned State counsel was directed to confirm the same and then to apprise this Court.

5. Today, Mr. J. S. Arora, DAG, appears and accepts notice on behalf of respondents No. 1 to 3 (State). He has filed the status report dated 05.05.2023 by way of affidavit of Harjinder Singh, PPS, Deputy

Superintendent of Police, Sub Division Nakodar, District Jalandhar (Rural) on behalf of respondents No. 1 to 3. Same is taken on record. Registry is directed to tag the same at appropriate place.

Copy thereof has also been supplied to him during the course of the day.

6. While referring to paragraphs No. 4 and 5 of the said status report, learned State counsel submits that both of the petitioners are major and there is no illegality in performing this marriage, however, stands of the parents of petitioner No. 1 have been recorded, who are also not opposing the marital knot of the petitioners.

Paragraphs No. 4 and 5 of the said status report says as under:-

“4. That it is respectfully submitted that the above-said SHO of Police Station City Nakodar, District Jalandhar has called the petitioners and their respective statements have been recorded by him and during the course of enquiry, the following facts have been revealed out:-

- I) The date of birth of the petitioner No.1 i.eShabnam is 15.07.1998 (24 years) as per her Aadhar Card No. 666730677853*
- ii) The date of birth of the petitioner No.1 i.eShabnam has also been got verified from the Local Registrar of Birth and Death, TehsilNakodar, District Jalandhar and the same has been found correct.*
- iii) The date of birth of the petitioner No.2 i.eDimmi Gill is 01-01-1986 (37 years) as per his Aadhar Card No. 949801771566.*
- iv) The Police have asked the petitioner No.2 i.eDimmi Gill to provide any other proof regarding his age like Bank Account Details, Voter Card, Matriculation certificate etc, however, he did not provided any such details to the Police.*
- iv) The criminal antecedents of the petitioners have been verified by the Police and upon verification, it is found that the petitioners have clean antecedents.*
- v) The statement of Pawan Gill, MC of Rishi Nagar Mohalla, Nakodar, District Jalandhar has been recorded by the Police wherein he has stated that the petitioner No.2 i.eDimmi Gill is the resident of Rishi Nagar Mohalla, Nakodar, District Jalandhar and he was never married.*
- vi) The statements of the parents of the petitioner No.1 i.eShabnam have been recorded wherein they have stated that their girl namely Shabnam (petitioner No.1) was never married.*
- vii) The statements of the petitioners have been recorded wherein they have stated that they have solemnized marriage on 25.04.2023 at 'Shri*

Mandir Tibari Gurdaspur Mandir", Lakshmi Narayan District Gurdaspur.

- viii) The respondent No.4 ie Vijay Kumar (father of the petitioner No.1) and respondent No.5 i.e Vandana (mother of the petitioner No.1) have stated in their statements that their daughter namely Shabnam (petitioner No.1) has solemnized marriage with Dimmi Gill (petitioner No.2) and they have no objection on their marriage and they had never threatened the petitioners.*
- ix) The petitioner they have stated in their respective statements that they have no fear from the private respondents or any other person, therefore, they do not want any security.*
5. *That it is respectfully submitted that in view of the above-mentioned facts, the SHO of Police Station City Nakodar has submitted a report to the Senior Superintendent of Police, Jalandhar through proper channel wherein it has been mentioned that the statements of the petitioners have been recorded wherein they have stated that they have solemnized marriage on 25.04.2023 at 'Shri Lakshmi Narayan Mandir Tibari Gurdaspur Mandir, District Gurdaspur and they have no fear from the private respondents or any other person, therefore, they do not want any security. It has been further mentioned that as per the statements recorded by the parents of the petitioner No.1 i.e Shabnam, they have no objection on the marriage of the petitioners and they had never threatened the petitioners."*

7. Relying upon the said status report, learned counsel for the petitioners submits that he does not want to press the petition at this stage, therefore, he seeks permission to withdraw the same with liberty to file it again if the similar need arises.

8. In view of the submission made by learned counsel for the petitioners, present petition stands dismissed as withdrawn with liberty to approach the Court again, if any such need arises in future.

(SANJAY VASHISTH)
JUDGE

05.05.2023

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