

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

109

CRWP-4348-2023 (O&M)

Decided on :31.05.2023

Neha and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ranbir Singh Pathania, Advocate for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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SANJAY VASHISTH, J. (Oral)

1. In the present protection petition on 22.05.2023 this Court passed the following order:-

*“Present: Mr. Ranbir Singh Pathania, Advocate for the petitioner(s).*

*Mr. Anmol Singh Sandhu, AAG, Punjab.*

*Assisted by ASI John Kumar.*

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*1.. Learned State counsel on instructions from ASI John Kumar, states that no criminal case is registered against the petitioners and further informs that as of now, State is able to record the address of family members of petitioner No.2- Dalveer Kumar to the fact that he is resident of State of Punjab, thus, address given at aadhar card qua him is correct.*

*2. However, police has not verified the fact that petitioner No.1- Neha is residing since when at the address of petitioner No.2, thus seeks some time.*

*3. Adjourned to 31.05.2023.*

*4. Learned State counsel would file required reply also. ”*

2. Today, learned State counsel has filed the reply dated 30.05.2023 by way of an affidavit of Rajinder Singh, PPS, Deputy Superintendent of Police, Sub Division Dhar Kalan, District Pathankot on behalf of respondents No. 1 to 3. Same is taken on record. Registry is directed to tag the same at appropriate place.

3. Learned State counsel submits that as per enquiry conducted by the police of District Pathankot, both the petitioners have performed their marriage at Shir Krishna Temple Malikpur, District Pathankot. Thereafter, both the petitioners have started residing at Village Rajpura Pathankot.

Counsel also submits that since 04.05.2023, no criminal case has been registered against petitioner No. 2-Dalveer Kumar.

Relevant paragraph No. 3 of the said reply says as under:-

“3. With regard to the representation given by the present petitioners (Annexure P-4), an inquiry was conducted by Respondent No. 3/ SHO Police Station Shahpur Kandi, District Pathankot. The Respondent No: 3/ SHO Police Station Shahpur Kandi, District Pathankot submitted the inquiry report on 23.05.2023 in which statements of the present petitioners was recorded along with Sarpanch of Village Rajpura namely Chetan Thakur, Member Panchayat of Village Rajpura Shamsher Singh and Kewal Singh, resident of Village Rajpura. Following observations were made during inquiry.

1. That Petitioner No. 2 namely Dalveer Kumar was working as a driver and used to visit Himachal Pradesh. In the month of May, 2021, the present petitioners met at Shiv Mandir Mela in District Kangra, Himachal Pradesh.

i The present petitioners fell in love with each other and on 10.03.2023, the present petitioners solemnized marriage at Shri Krishna Temple, Malikpur, District Pathankot.

iii That after solemnization of marriage, Petitioner No. 1 namely Supdt of Police Neha went to her house at Village Jior, PO Harnota, PS Jawali, Division Dhar Kalan, District Kangra, Himachal Pradesh and Petitioner No. 2 came back to his house at Village Rajpura, Pathankot.

iv. On 04.05.2023, Petitioner No. 1 namely Neha left her ATH COMM house and started residing with Petitioner No. 2 namely Dial Singh Dalveer Kumar at his house in Village Rajpura, Pathankot.

The said fact was corroborated by the respectables of the Village Rajpura, Pathankot.

v. That as per the information sought from Police Station Jawali, District Kangra, Himachal Pradesh - no FIR has been registered against Petitioner No. 2 Dalveer Kumar.

vi. The present petitioners, in their statements recorded during inquiry, stated that they do not have any kind of threat from anyone and they do not require any police protection.”

4. Learned counsel for petitioners submits that petitioner No.1- Neha, aged about 19 years and petitioner No.2- Dalveer Kumar, aged about 22 years, have got married on 10.03.2023 against the wishes of their family members, arrayed as respondents No. 4 to 6. It is first marriage of both the petitioners. It has been further submitted that private respondents 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 29.04.2023 (Annexure P- 4), to respondent No.2 – Senior Superintendent of Police, Pathankot, Punjab, wherein, they have expressed their apprehension.

6. On advance notice, Mr. Anmol Singh Sandhu, AAG, Punjab, who is present in the Court, accepts notice on behalf of respondents Nos.1 to 3 (State).

7. 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 29.04.2023 (Annexure P- 4), *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 the petitioners, is not jeopardized at the hands of the private respondents.

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

31.05.2023

*Riya*

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