

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-4449-2023 (O&M)

Decided on :.08.05.2023

Kajal Kadam and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sumit Sinha, Advocate for the petitioners.

SANJAY VASHISTH, J. (Oral)

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

2. At the very outset, learned counsel for the petitioners submits that though private respondents, who are family members of petitioner No.1 are the residents of Goa, yet petitioner No. 1 after performing the marriage with petitioner No. 2 is residing with him at House No. 83, Village Mulle Chakk, Near Dana Mandi, Bhagtanvala Gate District Amritsar, Punjab.

Learned counsel for petitioners submits that petitioner No.1- Kajal Kadam, aged about 22 years and petitioner No.2 – Rohit Kumar, aged about 22 years, have got married on 02.05.2023 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 02.05.2023

(Annexure P-5), sent through registered post dated 03.05.2023 to

respondent No.2 – Senior Superintendent of Police, Amritsar, Punjab, wherein, they have expressed their apprehension.

3. Notice of motion.

4. On advance notice, Mr. J.S. Arora, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondents Nos.1 to 3 (State).

5. In view of the above, present petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, Amritsar, Punjab, to look into the representation dated 02.05.2023 (Annexure P-5), sent through registered post dated 03.05.2023, *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.

6. However, respondent No. 2 would also verify as to whether petitioners are actually residing at House No. 83, Village Mulle Chakk, Near Dana Mandi, Bhagtanvala Gate, District Amritsar, Punjab.

7. Moreover, 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.

8. Disposed of.

(SANJAY VASHISTH)
JUDGE

08.05.2023

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