

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-4522-2023(O&M)
Decided on : 12.05.2023

Lovely and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. S.P.S Sandhu, Advocate for
Ms.Shivangi, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

CRM-W-656-2023

1. This is an application, under Rule 3(A)(i), Chapter 6, Part-B, Volume-V, of the High Court Rules and Orders, seeking leave to appeal, act or plead before this Court.

2. For the reasons mentioned in the application, the same is allowed as prayed for.

CRM-W-678-2023

1. In the present protection petition, after hearing the counsel for the petitioner, one mistake was noticed and following order was passed on 10.05.2023:

“1. Petitioner No.1- Lovely, aged 30 years and petitioner No.2-Sonia, aged 23 years, have filed instant petition for seeking directions for protection of their lives and liberty, which is at danger at the hands of respondents No.4 to 6.

2. Counsel for the petitioners has submitted that as per marriage certificate dated 07.05.2023 (Annexure P-4), marriage of petitioners took place on 07.05.2023 at Gurudwara Guru Nanak Niwas Sahib, Village Karor Kalan, District Mohali.

Whereas, representation (Annexure P-5) in regard to seeking protection from the police is forwarded through courier on 06.05.2023 to the office of Senior Superintendent of Police (Rural), District Jalandhar. In the said representation, it has been averred that the marriage of petitioners took place on 07.05.2023.

3. Faced with the situation, counsel appearing on behalf of petitioners seeks an adjournment to enable him to get instructions/clarifications in this regard.

4. Adjourned to 12.05.2023.”

2. By way of present application, counsel for the applicant/petitioners is placing on record the affidavit dated 11.05.2022 and the attached document i.e. tracking record of representation sent by the petitioners through one courier company.

3. Counsel for the petitioners submits that in fact, representation dated 07.05.2023 was sent through courier service on 08.05.2023 but inadvertently, date in the courier slip by the concerned office of the company has been mentioned as 06.05.2023. Thus, counsel submits that mistake is committed inadvertently by the office of company concerned, through which the representation was forwarded to the Superintendent of Police, Jalandhar.

4. Believing the contents of the affidavit and that the rights of no one else are getting affected, prayer made in the application is accepted and accordingly affidavit dated 11.05.2022 is ordered to be taken on record.

5. Consequently, application is allowed.

Office to tag the same at appropriate place on the case file.

CRWP-4522-2023

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to official respondent No.2, 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 – Lovely, aged 30 years and petitioner No.2 – Sonia, aged 23 years, have solemnized marriage on 07.05.2023, against the wishes of their family members, arrayed as respondents No.4 to 6. 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 07.05.2023

(Annexure P-5), to respondent No.2 – Senior Superintendent of Police (Rural), Jalandhar, wherein, they have expressed their apprehension.

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(Rural), Jalandhar, to look into the representation dated 07.05.2023 (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, to avoid any confusion regarding the date of representation and the date mentioned in the courier slip, petitioners is directed to submit another copy of representation dated 07.05.2023 within a week from today to Senior Superintendent of Police(Rural), Jalandhar (respondent No.2). Accordingly same would be decided.

7. 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.

(SANJAY VASHISTH)
JUDGE

May 12, 2023

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No