

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CRWP-4841-2023

Decided on : 19.05.2023

Manjot Kaur and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Gurpal Singh Sandhu, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to official respondents No.2 & 3, 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 – Manjot Kaur, aged 21 years and petitioner No.2 – Manhar Singh, aged about 20 years, is major, but petitioner No. 2 is not of marriageable age being of 20 years, still they have solemnized marriage on 15.05.2023, against the wishes of their family members, arrayed as respondents No.4 to 6. However, counsel for the petitioners submits that said marriage is voidable and not a void marriage and it is 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 15.05.2023 (Annexure P-4), to respondent No.2 – Senior Superintendent of Police, Sri

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Muktsar Sahib, wherein, they have expressed their apprehension.

3. Notice of motion.
4. On asking of the Court, Mr. JS Arora, DAG, 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, Sri Muktsar Sahib, to look into the representation dated 15.05.2023 (Annexure P-4), *qua* threat perception, and if there is any substance in it, take necessary steps, in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of the private respondents.
6. 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 19, 2023
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No