

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRWP-5160-2023

Date of decision: 26.05.2023

Jaswinder Kaur and another

....Petitioners.

Versus

State of Punjab and others

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Tushar Sharma, Advocate, for
Mr. Rakesh Kumar, Advocate, for the petitioners.

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SANJIV BERRY, J.

This is a petition filed under Article 226/227 of the Constitution of India for directions to respondents No. 2 and 3 to protect the life and liberty of the petitioners at the hands of private respondents No. 4 to 9.

2. Learned counsel for the petitioners submits that the petitioners, both major, have solemnized their marriage on 22.05.2023 according to Sikh rites and ceremonies. He also refers to the marriage certificate dated 22.05.2023 (Annexure P-3) and the photographs (Annexure P-4). He also refers to the Aadhar Cards (Annexures P-1 and P-2) of the petitioners to show that the petitioners are major.

3. Learned counsel for the petitioners further submits that the private respondents No. 4 to 9 are not accepting the marriage of the petitioners and they apprehend danger to their life and liberty from the private respondents and in this regard they have already moved a representation dated 22.05.2023 (Annexure P-5) before respondent

No. 2-Senior Superintendent of Police, Kapurthala, District Kapurthala.

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4. Notice of motion.
5. On the asking of the Court, Mr. Shubham Kaushik, Assistant Advocate General, Punjab, present in Court, accepts notice on behalf of the State-respondents No. 1 to 3.
6. Without commenting on the validity of the marriage and the inter se relationship of the parties, the petition is disposed of with the direction to respondent No. 2-Senior Superintendent of Police, Kapurthala, District Kapurthala, to consider the representation dated 22.05.2023 (Annexure P-5) keeping in view the facts and circumstances of the case and if so warranted, take action, to ensure protection to the life and liberty of the petitioners, strictly in accordance with law.
7. This order is not to be construed as any opinion with regard to the age of the petitioners or factum or validity of their marriage in any civil or criminal proceedings nor the petitioners would be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

(SANJIV BERRY)
JUDGE

26.05.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |