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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision : June 08, 2023

BABITA KUMARI AND ANR.

-Petitioners

V/S

STATE OF PUNJAB AND OTHERS

-Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Gurmej Singh Bhinder, Advocate for
Mr. S.K. Choudhary, Advocate
for the petitioners.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, as filed under Article 226 of the Constitution of India, the petitioners have sought issuance of directions upon the respondents No.2 and 3, to ensure protection of their lives and liberty at the hands of respondents No.4 to 10 and also to restrain the said respondents from harassing the petitioners or interfering in their peaceful married life, by making raids at their abode time and again.

2. The learned counsel for the petitioners states that since both the petitioners have attained the minimum age, as prescribed by statute, for solemnizing marriage, therefore, they have lawfully solemnized marriage, however, it has caused grievance to the respondents no.4 to 10. Such grievance of the respondents No.4 to 10 has made them apprehensive of danger to their lives and liberty and resultantly, it has constrained them to approach this Court, to seek protection of their lives and liberty. The marriage certificate of the petitioners and the photographs evidencing their marriage are available on record as Annexures P-3 and P-4. The petitioners

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have also submitted a representation dated 04.06.2023 (Annexure P-5) to the respondents no.2 and 3.

3. Notice of motion to the official respondent(s) only.
4. On the asking of the Court, Mr. Sandeep Kumar, D.A.G., Punjab accepts notice on behalf of the State.
5. Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, the instant petition is disposed of with a direction to respondent no.2-Senior Superintendent of Police, Gurdaspur, to decide the representation (Annexure P-5) of the petitioners and grant them protection, if any threat to their lives and liberty is perceived. It is clarified that this order shall not be taken to grant immunity to the petitioners from legal action for violation of law, if any, committed by them. This order would not be understood having expressed any opinion whatsoever by this Court on the validity of the marriage of the petitioners.
6. Disposed of accordingly.

(KULDEEP TIWARI)
JUDGE

June 08, 2023
devinder

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