

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

126

CRWP-5744-2023

Decided on : 07.06.2023

Shivani and another

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Gurmy S. Bhinder, Advocate for
Mr. S.K.Choudhary, Advocate for the petitioner(s).

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 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 – Shivani, aged more than 20 years and petitioner No.2 – Ramandeep, aged more than 28 years, have solemnized marriage on 31.01.2022, against the wishes of their family members, arrayed as respondents No.4 to 9. 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 30.05.2023 (Annexure P-6), to respondent No.2 – Sr.

apprehension.

3. Notice of motion.

4. On asking of the Court, Mr. Joginder Pal Ratra, Sr. DAG, Punjab, accepts notice on behalf of respondents No.1 to 3 (State) and on instructions, from SI Parlad Singh, states that in fact, statement of mother of the petitioner (Naresh Kumari-respondent No.5) has been recorded who stated before the Police that she has no connection with her daughter and has acknowledge the factum of marriage of the petitioners.

5. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Sr. Superintendent of Police, Pathankot, to look into the representation dated 30.05.2023 (Annexure P-6), *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

June 07, 2023

Rajeev (rvs)

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