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

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Date of Decision : June 09, 2023

JASWINDER KAUR AND ANR.

-Petitioners

V/S

STATE OF PUNJAB AND OTHERS

-Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rakesh Kumar, Advocate for
Mr. Kuldeep Singh, 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 official respondents, to ensure protection of their lives and liberty at the hands of respondents No.4 to 7 and also to restrain the said respondents from harassing the petitioners or causing any detriment to them.

2. It is averred in the petition that earlier the petitioner No.1 was married to one Gurdev Singh, while the petitioner No.2 was married to one Parsin Kaur, however, the respective spouses of both the petitioners expired respectively on 19.01.2021 and on 24.12.2022. To support this averment, the death certificates of deceased(s) are annexed with the petition as Annexures P-3 and P-4. The petitioner No.1 is stated to have two children from her previous wedlock, and, the petitioner No.2 is stated to have three children from his previous wedlock. After the demise of their respective spouses, the petitioners have now solemnized marriage on 04.06.2023 and

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their children are also stated to be living with them. However, the marriage of the petitioners has caused grievance to the respondents no.4 to 7. Such grievance of the respondents No.4 to 7 has made the petitioners 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 photographs evidencing marriage of the petitioners and the marriage certificate are available on record as Annexures P-5 and P-6. The petitioners have also submitted a representation dated 05.06.2023 (Annexure P-7) to the respondent no.2.

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, Hoshiarpur, to decide the representation (Annexure P-7) 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 09, 2023
devinder

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