2023:PHHC:082124

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

123

CRWP-5917-2023
Date of decision: 16.06.2023

SOMA BAI AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

*****

Present:- Mr. Ajay Singla, Advocate
for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana.

*****

VINOD S. BHARDWAJ, J. (Oral)

The petitioners namely Soma Bai and Gurpreet Singh have approached this Court under Article 226 of the Constitution of India for seeking protection of their lives and personal liberty from private respondents No.4 & 5.

The contention of the petitioners is that both are major, aged 30 years and 26 years respectively. In support thereof, copy of the Aadhaar Cards pertaining to the petitioners have been appended. The petitioners further contend that they have performed marrige against the wishes of their parents. The marriage of the petitioners was solemnized

VISHAL SHARMA
2023.06.16 17:20
I attest to the accuracy and
authenticity of this order/judgment

on 08.06.2023 at Gurudwara Guru Nanak Niwas Sahib, Village Karola Kalan, Tehsil Kharar, District Mohali as per Sikh Rites and Ceremonies. A copy of Marriage Certificate (Annexure P-3) issued by the aforesaid Gurudwara Sahib has also been appended. The petitioners apprehend threat to their lives and claim that there is a constant danger of being implicated in a false case.

Notice of motion restricted to respondents No.1 to 3 only.

Pursuant to supply of advance copy, Mr. Pankaj Mulwani, DAG, Haryana has appeared and accepted notice on behalf of respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 09.06.2023 (Annexure P-5) has also been submitted by the petitioners to the Superintendent of Police, Fatehabad.

Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to Superintendent of Police, Fatehabad to look into the grievances of the petitioners as set out in the petition and also expressed in the representation dated 09.06.2023 (Annexure P-5) and take appropriate action for protection of their lives and liberty as may be warranted by the circumstances.

However, it is clarified that in case any criminal case has been/is registered against the petitioners nothing in this order shall be construed as a bar for taking appropriate action by the police authorities

VISHAL SHARMA
2023.06.16 17:20
I attest to the accuracy and
authenticity of this order/judgment

in respect thereof in accordance with law.

The Registry is directed to send a copy of this order along with copy of the petition and above-said representation to Superintendent of Police, Fatehabad for requisite compliance.

The petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

JUNE 16, 2023
Vishal sharma

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

VISHAL SHARMA
2023.06.16 17:20
I attest to the accuracy and
authenticity of this order/judgment