

2023:PHHC:082418

124 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-6270-2023 (O & M)
Date of decision: 23.06.2023

JYOTI BALA AND ANR

...Petitioners

V/s

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Abhishek K. Kathpal, Advocate
 for the petitioners.

SUKHVINDER KAUR J. (ORAL)

1. Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to respondents No.2 and 3 to provide protection of life and liberty to the petitioners, who have married against the wishes of private respondents No.4 to 7.

2. Learned counsel for the petitioners submits that both the petitioners are major, petitioner No.1 – Jyoti Bala, aged 31 years and petitioner No.2 – Parvesh Kumar, aged 44 years and have got married on 15.06.2023, against the wishes of their family members, arrayed as respondents No.4 to 7. The copies of 'Aadhaar' card of petitioners (Annexures P-1 and P-2) have been placed on record. Marriage certificate as well as the marriage photographs have also been placed on record as Annexure P-3 and P-4. He further submits that petitioner No.2-Parvesh Kumar has got divorce from his first wife Neena daughter of Jagdish Raj under Section 13-B of the Hindu Marriage Act vide judgment dated 25.05.2023 passed by Ms. Jagbir Kaur, Principal Judge, Family Court,

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Gurdaspur. A copy thereof has been placed on record.

3. It has been further submitted that the private respondents are threatening to interfere in the marital life of the petitioners. Hence, they are seeking protection in that regard and have approached this Court by way of filing the instant petition.

4. Notice of motion.

5. On the asking of the Court Mr. M.S. Bajwa, DAG, Punjab accepts notice on behalf of the respondents-State.

6. In view of the limited prayer made by the petitioners, the petition is disposed off with a direction to respondent No.2 to look into the representation Annexure P-5 at the earliest and take necessary steps, if any required, in accordance with law, to ensure that the life and liberty of the petitioners is not jeopardized at the hands of the private respondents. 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.

23.06.2023
manisha

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No