

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-6393-2023 (O&M)
Date of Decision: 28.06.2023

PANKESH AND ANOTHER
...Petitioners
Versus

STATE OF UT CHANDIGARH AND OTHERS
...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. A.S. Gulati, Advocate
for the petitioners.

HARSH BUNGER, J. (ORAL)

CRM-W-928-2023

This is an application seeking exemption from filing the local
resident proofs of both the petitioners.

Criminal Misc. Application is allowed as prayed for.

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1. Prayer in the instant petition, filed under Article 226 of the Constitution of India, is for issuance of directions to respondents Nos.1 to 3, to provide protection of life and liberty to the petitioners, who have married against wishes of private respondent Nos.4 and 5.
2. Learned counsel for the petitioners submits that petitioner No.1- Pankesh, aged about 27 years and petitioner No.2-Shaik Hamseera @ Arti, aged about 22 years, have got married on 22.06.2023, against wishes of the family members / relatives / friends of petitioner No. 2 (Shaik Hamseera @ Arti), arrayed as respondent Nos. 4 and 5. It has been further submitted that private respondents are threatening and trying to interfere in the marital life

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of the petitioners. Hence, they are seeking protection in that regard and have approached this Court by way of filing the instant petition.

3. Notice of motion to respondent Nos. 1 to 3-State only.

4. On the asking of the Court, Mr. Amit Kumar Goyal, APP, U.T. Chandigarh who is present in the Court, accepts notice on behalf of respondent Nos. 1 to 3-State.

5. In view of the above, present petition is disposed of with a direction to respondent No. 2 – Senior Superintendent of Police, Chandigarh to look into the representation dated 23.06.2023 (Annexure P-5), *qua* threat perception, if any, and take necessary steps, if any required, in accordance with law, to ensure that life and liberty of the petitioners is not jeopardized at the hands of private respondents. However, this direction shall not be construed to validate the marriage, said to have taken place between petitioner Nos. 1 and 2. This order shall also not be taken to protect the petitioners from legal action for violation of law, if any, committed by them and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

June 28, 2023

Lavisha

(HARSH BUNGER)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No