

132.

2023:PHHC:101647

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

CRWP-7776-2023

Date of decision: 07.08.2023

Yashika Sharma and another

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Piyush Setia, Advocate, for the petitioners.

VIKAS SURI, J. (Oral)

1. Through this petition preferred under Articles 226/227 of the Constitution of India, petitioners feeling threatened at the hands of private respondents No.4 to 7, have approached this Court for issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to safeguard the lives and personal liberty of the petitioners.

2. Learned counsel for the petitioners submits that the petitioners were having a love affair for more than a year and on 31.07.2023 have performed marriage as per Hindu rites and it is on this account, they are under threat of being bodily harmed/eliminated at the hands of private respondent Nos.4 to 7.

3. The petitioners claim themselves to be major. They have placed on record marriage certificate (Annexure P-3) evidencing their marriage. The petitioners have also submitted representation dated 01.08.2023 (Annexure P-5) to the Commissioner of Police, Jalandhar and SHO, Police Station Division No.7, Jalandhar, arrayed as respondent Nos.2 and 3 herein, but no action has been taken so far.

4. Notice of motion to the official respondents only.
5. Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of official respondents No.1 to 3 and waives service. He submits that the above noted representation would be disposed of within the stipulated time, in accordance with law.
6. Without expressing any opinion on the merits of the case and in particular the legality of the alleged marriage, the present petition is disposed of with a direction to respondent No.2-Commissioner of Police, Jalandhar, to decide the representation of the petitioners, dated 01.08.2023 (Annexure P-5) within a period of one week from the date of receipt of a copy of this order and grant them protection, if any threat to their life and liberty is perceived.
7. It is made clear that this order shall not be taken to validate the alleged marriage between the petitioners or protect them from legal action for violation of law, if any, committed by them.

(VIKAS SURI)
JUDGE

August 07, 2023

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No