

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

133

**CRWP-10438-2023
Date of decision: 23.10.2023**

SHAMSHAD ALI AND ANR

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Imran Farooqi, Advocate
for the petitioners(through VC).

VINOD S. BHARDWAJ, J. (Oral)

The petitioners namely Shamshad Ali and Ranvir Kaur 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 to 9.

The contention of the petitioners is that both are major, aged 21 years and 20 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 marriage against the wishes of their parents. The marriage of the petitioners was solemnized on 17.10.2023 at Village Mauli Khurd, Malerkotla as per Muslim rites and rituals. A copy of Marriage Certificate (Annexure 3) issued by the aforesaid Maulvi 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, Ms. Niharika Sharma, AAG, Punjab has appeared and accepted notice on behalf of respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 17.10.2023(Annexure P-4) has also been submitted by the petitioners to the respondent No.2- Senior Superintendent of Police, Malerkotla.

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 respondent No.2- Senior Superintendent of Police, Malerkotla to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-4) 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 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 respondent No.2- Senior Superintendent of Police, Malerkotla for requisite compliance.

The petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

23.10.2023
Himashu

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