

131. 2023:PHHC:137900
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-10522-2023
Date of decision: 25.10.2023

GURDEEP SAINI AND ANR Petitioners

Versus

STATE OF PUNJAB AND OTHERS Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Mohit Kumar, Advocate, for the petitioners.

GURBIR SINGH, J. (Oral)

The present criminal writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of directions to respondent Nos.1 and 3 to protect life and liberty of the petitioners and not to interfere in their peaceful married life at the behest of private respondents No.4 to 10.

It has been averred that the date of birth of petitioner No.1 is 25.09.2002, while the date of birth of petitioner No.2 is 14.08.1998. Copies of Aadhar Cards of petitioner Nos.1 & 2 to this effect are attached as Annexures P-1 and P-2 respectively.

It has been submitted that the marriage of the petitioners was solemnized on 21.10.2023. The marriage Certificate is attached as Annexure P-3. Private respondents No.4 to 10 had opposed to their marriage, as the petitioners had performed the marriage without their consent. The petitioners have submitted representation dated 21.10.2023 (Annexure P-5) to

respondent No.2-Senior Superintendent of Police, District Hoshiarpur, seeking protection of their lives and liberty at the hands of the private respondents.

Notice of motion to the official respondents only at this stage.

On the asking of the Court, Ms. Aditi Girdhar, AAG, Punjab accepts notice on behalf of respondent Nos.1 to 3.

Let adequate number of copies of the paper book be supplied to her during the course of the day.

Without expressing any opinion on the merits of the matter and in particular the legality of the alleged relationship, the present petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, District Hoshiarpur, to forthwith consider the aforesaid representation dated 21.10.2023 (Annexure P-5) made on behalf of the petitioners and thereafter, take appropriate action on the same as is deemed fit in accordance with law to ensure the protection of life and liberty of the petitioners. Till then, protect the life and liberty of the petitioners. Respondent No.2 would pass necessary order without being influenced by any pleadings made in the petition.

It is made clear that this order shall not be taken to validate the alleged relationship between the petitioners or protect them from legal action for violation, if any, committed by them.

(GURBIR SINGH)
JUDGE

October 25, 2023
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No