

CRWP No. 10544 of 2023

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRWP No. 10544 of 2023

Date of decision : October 26, 2023

HARJIT SINGH AND ANOTHER

....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sarvesh Kumar Gupta, Advocate, for the petitioners

KULDEEP TIWARI,J. (ORAL)

1. The instant petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to protect the lives and liberty of the petitioners and to restrain the private respondents not to harass or interfere in their peaceful married life.

2. Learned counsel for the petitioners submits that both the petitioners are married. The date of birth of petitioner no. 1 is 1.8.1998 and thus he has completed 25 years of age and the date of birth of petitioner no. 2 is 20.4.2005 and that she is now 18 years of age. To substantiate this submission, learned counsel for the petitioners placed reliance upon copies of Aadhar Cards attached with the petition as Annexures P/1 and P/2. He further submits that both the petitioners have solemnized marriage against the wishes of respondents no. 4 to 6 on 21.10.2023 and now they are apprehending threat to their lives and liberty

at the hands of private respondents. He further submits that the petitioners have submitted a representation dated 21.10.2023, Annexure P/5 to the official respondents but no action has been taken on the same.

3. Notice of motion.

4. On asking of the Court, Mr. Teevar Sharma, AAG, Punjab accepts notice on behalf of respondents no. 1 to 3.

5. In view of the above, without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the direction to respondent no. 2 - The Senior Superintendent of Police, Kapurthala to look into the representation dated 21.10.2023 (Annexure P/5) qua threat perception and if there is any substance in it, shall take necessary steps in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of private respondents.

6. However, this direction will not validate the marriage as claimed by the petitioners and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

7. Petition stands disposed of accordingly.

October 26, 2023

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(KULDEEP TIWARI)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>