

2023:PHHC:142383

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

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CRWP-10940-2023

Date of Decision : **November 08, 2023**

RADHA DEVI AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Nirmata Kaur, 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 directions to the official respondents to protect the lives and liberty of the petitioners and to restrain the private respondents from harassing the petitioners or interfering 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 12.12.1986, thus she is now 37 years of age while the date of birth of petitioner no. 2 is 8.5.1985 and he is now 38 years of age. To substantiate this submission, learned counsel for the petitioners has placed reliance upon copies of Aadhar Cards of the petitioners attached with the petition as Annexures P/1 and P/2 respectively. He further submits that both the petitioners have solemnized marriage against the wishes of respondents no. 4 to 12 on 6.11.2023 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 6.11.2023 (Annexure P/5) to the official respondent No.2 but no action has been taken on the same. He has further submitted that this is the second marriage of petitioner No.2 but he has got divorce from first marriage vide order dated 7.12.2022.

- 3. Notice of motion.
- 4. On asking of the Court, Mr. Krunesh Kaushal, 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 a direction to respondent no. 2 – Senior Superintendent of Police, SAS Nagar, Mohali, to look into the representation dated 6.11.2023, (Annexure P/5) qua threat perception and if there is any substance in it, to take necessary steps in accordance with law, to thereby 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.

November 08, 2023
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No