IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRWP-11188-2023
Date of decision: 20.11.2023

PALWINDER KAUR AND ANR ….Petitioners

Versus

STATE OF PUNJAB AND ORS ...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Nagesh Paul, Advocate for the petitioners.

SANJIV BERRY, J. (ORAL)

This is a petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for directions to respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of private respondents No.4 to 6.

2. Learned counsel for the petitioners submits that the petitioners, both major, have solemnized their marriage on 15.11.2023 according to Sikh rites and ceremonies. He also refers to the marriage certificate dated 15.11.2023 (Annexure P-4) and the photographs (Annexure P-3). He also referred to the Aadhar Cards (Annexure P-1 and Annexure P-2) of the petitioners to show that the petitioners are major.

3. Learned counsel for the petitioners further submits that the private respondents No.4 to 6 are not accepting the marriage of the petitioners and they apprehend danger to their life and liberty from the private respondents and in this regard they have already moved a representation dated 15.11.2023 (Annexure P-5) before respondent No.2- The Commissioner of Police, Amritsar, District Amritsar.

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4. Notice of motion.

5. On the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, present in Court, accepts notice on behalf of the State-respondents.

6. Without commenting on the validity of the marriage of the parties, the petition is disposed of with the direction to respondent No.2-The Commissioner of Police, Amritsar, District Amritsar, to consider the representation (Annexure P-5) keeping in view the facts and circumstances of the case and if so warranted, take action, to ensure protection to the life and liberty of the petitioners, strictly in accordance with law.

7. This order is not to be construed as any opinion with regard to the age of the petitioners or factum or validity of their marriage in any civil or criminal proceedings nor the petitioners would be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

(SANJIV BERRY)
JUDGE

20.11.2023
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i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No

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