

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

212

**CRWP-12312-2022
Decided on : 16.01.2023**

Dilbag Khan and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Neeraj Januha, Advocate
for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to respondents No.1 to 3, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

2. Learned counsel for the petitioners, at the outset, submits that both the petitioners are major, and have performed their marriage (Nikah) in a lawful manner.

3. Learned counsel for the petitioners points out order dated 30.12.2022, which says as under:

“Notice of motion.

*On the asking of the Court, Mr. Deepanjay Sharma, DAG,
Punjab, accepts notice on behalf of the respondents-State.*

*At the outset, counsel for the State, on instructions from ASI
Chamkaur Singh, submits that the police has investigated the
matter and respondent Nos.4 and 5 have suffered statement that*

they have no objection. However, counsel for the petitioners has submitted that even today, when the petitioners were on their way to the Court, the father of petitioner No.1 i.e. respondent No.5 tried to attack them and caused injury.

Adjourned to 16.01.2023.

In the meanwhile, respondent Nos.2 and 3 are directed to look into the representation dated 23.12.2022 (Annexure P-4) and also any additional representation or submissions made or to be made in the facts of the present case.”

4. Learned counsel for the petitioners further submits that petitioner No.1 – Dilbag Khan, aged 21 years and petitioner No.2 – Sushma Bibi, aged 20 years, have performed Nikah on 21.12.2022, against the wishes of their family members, arrayed as respondents No.4 & 5. He further submits that it is the first marriage of both the petitioners. It has been further submitted that the private respondents are threatening to interfere in the matrimonial life of the petitioners. Hence, the petitioners are seeking protection in that regard and have approached this Court by way of filing the instant petition. They have also submitted a representation dated 23.12.2022 (Annexure P-4), to respondent No.2 – Senior Superintendent of Police, Bathinda, wherein, they have expressed their apprehension.

5. Heard.

6. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, Bathinda, to look into the representation dated 23.12.2022 (Annexure P-4), *qua* threat perception, and if there is any substance in it, take necessary steps, in accordance with law, to ensure that the lives and liberty of the petitioners are

not jeopardized at the hands of the private respondents.

7. However, this direction will not validate the marriage said to have taken place between the parties and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

**(SANJAY VASHISTH)
JUDGE**

January 16, 2023
J.Ram/kavita

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