

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

124

**CRWP-12383-2022
Date of Decision: 03.01.2023**

KALPANA KUMARI AND ANR.

... Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Ms. Amandip Kaur, Advocate for the petitioners.

Mr. Saurav Verma, Addl. A.G., Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The petitioners namely Kalpana Kumari and Amit have approached this Court under Article 226 of the Constitution of India for seeking protection of their life and personal liberty from private respondents No.4 & 5.

The contention of the petitioners is that they are major, aged 18 years and 22 years respectively. In support thereof, copies of the Aadhar Cards pertaining to the petitioners have been appended. The petitioners further contend that they have performed marriage against the wishes of their parents. The marriage of the petitioners was solemnized on 14.12.2022 at Vaidik Poojan Kendra (Regd.), Booth No.87, Mansadevi Complex Market, Sector 4, Panchkula, Haryana according to Hindu rites and ceremonies. A copy of marriage certificate (Annexure P-3) has also been appended. The petitioners apprehend threat to their lives and claim that there is a constant danger of being implicated in a false case.

Notice of motion restricted to respondent Nos.1 to 3 only.

Pursuant to supply of advance copy, Mr. Saurav Verma, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 29.12.2022 (Annexure P-4) has also been submitted by the petitioners to the respondent No.2- Senior Superintendent of Police, SAS Nagar, Mohali.

Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to respondent No.2-Senior Superintendent of Police, SAS Nagar Mohali to look into the grievances of the petitioners as set out in the petition and also expressed in the representation dated 29.12.2022 (Annexure P-4) and take appropriate action for protection of their lives and liberty as may be warranted by the circumstances. He is further directed to look into the matter after affording opportunity of hearing to all the concerned parties.

However, it is clarified that in case any criminal case has been/is registered against the petitioners nothing in this order shall be construed as a bar for taking appropriate action by the police authorities in respect thereof in accordance with law.

The Registry is directed to send a copy of this order along with copy of the petition and above-said representation to respondent No.2-Senior Superintendent of Police, SAS Nagar, Mohali for requisite compliance.

The petition is disposed of.

January, 03, 2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No