

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CRWP-11791-2023

Date of Decision : December 07, 2023

SUSHMA DEVI AND ANR

-Petitioners

V/S

STATE OF PUNJAB AND OTHERS

-Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vipin Kumar Sharma, Advocate
for the petitioners.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as filed under Article 226 of the Constitution of India, the petitioners have sought issuance of directions upon the respondents No.2 and 3, to ensure protection of their lives and liberty at the hands of respondents No.4 to 6, and, also to restrain the said respondents from harassing the petitioners or interfering in their peaceful married life.

2. The learned counsel for the petitioners states that since both the petitioners have attained the minimum age, as prescribed by statute, for solemnizing marriage, therefore, they have lawfully solemnized marriage, however, it has caused grievance to the respondents no.4 to 6. Such grievance of the respondents No.4 to 6 has made them apprehensive of danger to their lives and liberty and resultantly, it has constrained them to approach this Court, to seek protection of their lives and liberty. The marriage certificate of the petitioners and the photographs evidencing their marriage are available on record respectively as Annexures P4 & P5.

The petitioners have also submitted a representation dated 03.12.2023 (Annexure P-6) to the respondents no.2 and 3.

3. Notice of motion to the official respondent(s) only.
4. On the asking of the Court, Ms. Kanica Sachdeva, A.A.G., Punjab, accepts notice on behalf of the official respondent(s).
5. Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, the instant petition is disposed of with a direction to respondent no.2-Commissioner of Police, Jalandhar, to decide the representation (Annexure P-6) of the petitioners and grant them protection, if any threat to their lives and liberty is perceived. It is clarified that this order shall not be taken to grant immunity to the petitioners from legal action for violation of law, if any, committed by them. This order shall not be understood to have expressed any opinion whatsoever by this Court on the validity of the marriage of the petitioners.
6. Disposed of accordingly.

December 07, 2023
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(KULDEEP TIWARI)
JUDGE

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