

CRWP-11889-2023 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(114)

CRWP-11889-2023 (O&M)
Date of Decision:-08.12.2023

Kishni and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON’BLE MR. JUSTICE ALOK JAIN

Present: Mr. Gitesh Sharma, Advocate
for the petitioners.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No. 2 & 3 to protect the life and liberty of the petitioners, who got married on 30.11.2023, at the hands of private respondents.
2. Notice of motion to respondents No. 1 to 3.
3. On asking of the Court, Mr. Siddharth Attri, AAG, Punjab, who is present in the Court, accepts notice on behalf of State/respondents No.1 to 3.
4. Considering the nature of the order being passed, there is no necessity to serve the private respondents or to seek a reply from any of the respondents.

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5. In light of the above, the petition is disposed of with a direction to respondents No.2- Deputy Superintendent of Police, Fazilka (Punjab), to take into consideration the request of the petitioners made vide representation dated 30.11.2023 (Annexures P-4 and P-5) and take necessary action, in accordance with law.

6. Respondent No. 3 is directed to record the statements of respondents No. 4 to 8 and also the statements of the parents of petitioner No. 2.

7. It is made clear that the filing of this petition or any order passed herein does not approve or disapprove the relationship/marriage of the petitioners and is not a stamp by the Court qua their relationship/marriage as this petition is considered only for the purpose of ensuring the protection of life and liberty of petitioners being citizen of this country and for no other reason.

8. This order shall not operate as an *alibi* or defence to any proceedings which might be pending or may arise against the petitioners. Although, the State is duty bound to protect its citizens and only with the said motive, the present order/directions have been passed.

9. It is made clear to the petitioners that, in case, any averment made in this petition or in the representation dated 30.11.2023 (Annexures P-4 and P-5) is found to be incorrect, the State Authorities are directed to take appropriate action, in accordance with law.

10. However, since, this petition is being disposed of in *limine*, therefore, copy of the complete paper book be sent through registered post to respondents No. 4 to 8 as there is serious doubt with regard to their being even aware of the act and conduct of their children.

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11. Pending miscellaneous application(s), if any, also stands disposed of.

(ALOK JAIN)
JUDGE

December 08, 2023
Parul

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