

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CRWP-11906-2023

Date of Decision: 11.12.2023

Chamandeep Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Ms. Manpreet Kaur, Advocate, for the petitioner.

VIKAS SURI, J. (Oral)

1. Through this petition under Article 226 of the Constitution of India, the petitioners namely Chamandeep Kaur and Iqbal Singh have approached this Court seeking protection of life and personal liberty at the hands of private respondent Nos.4 to 6.

2. The contention of the petitioners is that both are major, aged 20 years and 22 years, respectively. In support thereof, copy of Aadhaar cards pertaining to the petitioners have been appended as Annexures P-1 and P-2. The petitioners further contend that they have performed marriage against the wishes of the private respondents on 05.12.2023. The marriage was performed at Gurdwara Dashmesh Pita Paatshahi Dasvi (Regd.), village Singha Devi, Tehsil Kharar, District Mohali, according to Sikh Rites and Rituals. A copy of the marriage certificate (Annexure P-3) issued by the aforesaid Gurdwara 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.

3. Notice of motion restricted to respondents No.1 to 3 only.

4. Mr. Gurvinder Singh Sidhu, AAG, Punjab, accepts notice on behalf of the respondent Nos.1 to 3 and waives service.
5. Learned counsel for the petitioners states that representation dated 05.12.2023 (Annexure P-5) has also been submitted by the petitioners to respondent No.2-Senior Superintendent of Police, District Patiala, but to no avail.
6. Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.
7. Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the present petition is disposed of with the directions to respondent No. 2-Senior Superintendent of Police, Patiala, to look into the grievances of the petitioners as set out in the petition in light of the representation (Annexure P-5) and take appropriate action for protection of their lives and liberty as may be warranted by the circumstances.
8. However, it is clarified that this order shall not be taken to validate the alleged marriage and 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.
9. Disposed of.

December 11, 2023
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No