

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-50-2024

Date of Decision :04.01.2024

VIJAY KUMAR AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sarvesh Kumar Gupta, Advocate
for the petitioners.

Mr. M.S.Bajwa, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. The instant petition has been filed under Article 226 of the Constitution of India for issuance of directions to the official respondents to protect the lives and liberty of the petitioners and to restrain the private respondents not to harass or interfere in their peaceful married life.

2. Learned counsel for the petitioners submits that this is first marriage of both the petitioners. The date of birth of petitioner no. 1 is 20.02.2000 and thus he has completed 23 years of age and the date of birth of petitioner no. 2 is 14.09.2001 and that she is now 22 years of age. To substantiate this submission, learned counsel for the petitioners placed reliance upon copies of Aadhar Cards attached with the petition as Annexures P/1 and P/2 respectively. He further submits that both the

petitioners have solemnized marriage against the wishes of respondents no. 4 to 6 on 02.01.2024 and now they are apprehending threat to their lives and liberty at the hands of private respondents. He further submits that the petitioners have submitted a representation dated 02.01.2024 (Annexure P/5) to the official respondents but no action has been taken on the same.

3. Notice of motion to official respondents only.

4. On asking of the Court, Mr. M.S.Bajwa, DAG, Punjab, accepts notice on behalf of respondents no. 1 to 3.

5. In view of the above, without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the direction to respondent no. 2 – Senior Superintendent of Police, Hoshiarpur to look into the representation dated 02.01.2024, (Annexure P/5) *qua* threat perception and if there is any substance in it, he shall take necessary steps in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of private respondents.

6. However, this direction will not validate the marriage as claimed by the petitioners and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

7. Petition stands disposed of accordingly.

January 04, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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