

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-1051-2024
DECIDED ON: 22.02.2024

NISHA DEVI AND ANR.

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sandeep Dhull, Advocate
for the petitioners.

Mr. Jasjit Singh Rattu, DAG Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. Learned counsel for the petitioners seeks protection of life and liberty of the petitioners by contending that both of them having attained the age of majority, have married each other against the wishes of their respective family members respondent No.4 and to seek appropriate protection from the authorities. They submitted a representation dated 01.02.2024 (Annexure P-5), in this regard to the Senior Superintendent of Police, SAS Nagar, Mohali, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.
2. This Court on 05.02.2024 called upon for a status report from the Senior Superintendent of Police, SAS Nagar, Mohali, who has produced the same by way of an affidavit dated 20.02.2024, wherein para 4 reads as under:-

“As per the report obtained from MHC, Police Station Lalru no complaint was found received from the petitioners on 01.02.2024 at the said Police Station. Similarly, as per the report obtained from Incharge

Complaint Branch, office of SSP, SAS Nagar no complaint was found received from petitioners via E-mail. However, in compliance of the order passed by this Hon'ble Court on 05.02.2024, the matter was examined based on the averments made in the present petition.

Both the petitioners have solemnized marriage on 01.02.2024 at Maa Naina Devi Jan Kalyan Sanstha, MDC, Sector 4, Panchkula as per Hindu Rights and Rituals. For ascertaining fact of their marriage, verification was made from above said Sanstha and statement of Purohit Shubham, in that regard was recorded.

Petitioners were contacted on given mobile number 93175- 27443 in the petition, for recording their statements in order to ascertain veracity of the allegations leveled by them in the present petition, however, on 08.02.2024 they have refused to disclose their residential address and record their statements with the police and on 09.02.2024, they have not answered phone call only. Faced with the situation, the counsel for petitioner was contacted and requested to share detail of whereabouts of petitioners or inform them for recording their statements with the police. However, even thereafter, the petitioners did not come forward to record their statements with the police. In that regard DDR No. 32 dated 08.02.2024 and DDR No. 34 dated 09.02.2024, were recorded at Police Station Lalru, District SAS Nagar. That apart from above, the statement of Jarnail Singh father of Petitioner No. 2 Jaspal Singh was also recorded and in his statement he has got recorded that he has disowned Jaspal Singh and made publication in that regard in local newspaper Desh Sewak on 20.01.2018 and is not aware of his whereabouts presently.

The respondent no. 4 has earlier given complaint no. 57/5D/PP/Nahar dated 28.11.2023 at Police Post Nahar-cum- Police Station Lalru, District SAS Nagar as regards his daughter Nisha Devi (Petitioner No. 1) has left from the house without informing their family. However, subsequently on acquiring knowledge as regards the fact that she has left from home with petitioner no. 2 Jaspal Singh, out of her own willingness, he has disowned her and made publication in that regard

in local newspaper Pehredar on 06.11.2023. As such, the complaint received from him was filed.

The respondent no. 4 in his statement got recorded that since he has disowned his daughter Nisha Devi (Petitioner No. 1), therefore, his family has no concern with her and they have no objection to her marriage with petitioner no. 2 and they will neither threat nor harm any of them for solemnizing marriage with each other and she is free to live anywhere as per her own choice.”

3. This Court is duly convinced that no threat perception exists to the lives and liberty of the petitioners, who themselves have made a statement before the police authorities with regard to the same. Hence, this petition does not warrant any order or inference whatsoever from this Court and the same is ordered to be dismissed being devoid of merits.

22.02.2024

Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>