

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

119

CRWP-1649-2024 (O&M)
Date of Decision: 22.02.2024.

KAPIL AND ANOTHER

.....Petitioners

Vs

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. A.S. Gulati, Advocate for the petitioners.

Mr. Kewal Singh, Additional AG, Punjab.

HARKESH MANUJA, J. (Oral)

[1]. Present criminal writ petition under Articles 226/227 of the Constitution of India has been filed by the petitioners praying for protection to their life and liberty, in view of the marriage solemnized by them against the wishes of respondents No.4 to 6.

[2]. Upon advance notice, Mr. Kewal Singh, Addl. A.G., Punjab appears on behalf of respondents No.1 to 3. Requisite copies of the petition have already been supplied to the respondent-State by the learned counsel for the petitioners.

[3]. Paper-book reveals that marriage of petitioners No.1 and 2 was solemnized on 16.02.2024. The documents annexed by the petitioners with the petition including their Aadhar Cards (Annexures P-1 and P-2) show that both are major and duly identified by their counsel, but apprehending danger to their life and liberty at the hands of respondents No.4 to 6.

[4]. Apprehending threat to their life and liberty, petitioners have already approached respondent No.2 by way of representation dated 16.02.2024 (Annexure P-4).

[5]. Accordingly, the present petition is disposed of, with a direction to respondent No.2- Senior Superintendent of Police, District SAS Nagar (Mohali), to look into the representation dated 16.02.2024 (Annexure P-4) and in case he finds any threat perception to the petitioners, appropriate steps be taken to protect their life and liberty and also ensure that no harm is caused to the petitioners by forcibly taking them in custody on the allegations that petitioner No.1 has been kidnapped, abducted or raped by petitioner No.2.

[6]. However, it is made clear that this order may not be construed as expression of an opinion on legality and validity of the marriage of the petitioners.

[7]. In case any criminal case is pending against petitioner No.2, this order shall not be any hindrance for the Investigating agency to proceed according to law.

22.02.2024	(HARKESH MANUJA)
<i>pry</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No