

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CRWP-3980-2024

Date of Decision : 02.05. 2024

ARSHDEEP AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Jaswinder Singh Rana, Advocate,
for the petitioners.

Mr.Pardeep Bajaj, 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 from harassing the petitioners or interfering in their peaceful married life.

2. Learned counsel for the petitioners submits that both the petitioners are married. The date of birth of petitioner no. 1 is 23.02.2006, thus she is about 18 years of age while the date of birth of petitioner no.2 is 30.07.1999 and he is now about 24 years of age. To substantiate this submission, learned counsel for the petitioners has placed reliance upon copies of Aadhar Cards of the petitioners 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 26.04.2024 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 26.04.2024 (Annexure P/6) to the official respondent No.2 but no action has been taken on the same.

3. Notice of motion.

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

5. At this stage, Mr. Vishal Gupta, Advocate and Mr. Balwant Singh, Advocates, have caused appearance on behalf of respondents No.4 and 5, through validly executed power of attorneys in their favour. The same are taken on record. They opposed the grant of asked for relief (supra) to the petitioners on the ground of inter-religion marriage.

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 a direction to respondent no. 2 – Senior Superintendent of Police, Fatehgarh Sahib, to look into the representation dated 26.04.2024, (Annexure P/6) *qua* threat perception and if there is any substance in it, to take necessary steps in accordance with law, to thereby 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.

May 02, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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