

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CRWP-4009-2024
Date of Decision : May 03, 2024

BASANTI AND ANOTHER -PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Prince Sarangal, Advocate
for the petitioners.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as filed under Article 226 of the Constitution of India, the petitioners have sought issuance of directions upon the respondents No.2 and 3, to ensure protection of their lives and liberty at the hands of respondents No.4 and 5, and, also to restrain the said respondent from harassing them or interfering in their married life.
2. The learned counsel for the petitioners states that since both the petitioners have attained the minimum age, as prescribed by statute, for solemnizing marriage, therefore, they have lawfully solemnized their first marriage, however, it has caused grievance to the respondents no.4 and 5. Such grievance of the respondents No.4 and 5 has made them apprehensive of danger to their lives and liberty and resultantly, it has constrained them to approach this Court, to seek protection of their lives and liberty. The marriage certificate of the petitioners and the photographs evidencing their marriage are available on record as Annexures P-4. The

petitioners have also submitted a representation dated 30.04.2024 (Annexure P-5) to the respondent no.2.

3. Notice of motion to the official respondent(s) only.
4. On the asking of the Court, Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of the official respondent(s).
5. Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, the instant petition is disposed of with a direction to respondent no.2-Sr. Superintendent of Police, S.A.S. Nagar (Mohali), to decide the representation (Annexure P-5) of the petitioners and grant them protection, if any threat to their lives and liberty is perceived. It is clarified that this order shall not be taken to grant immunity to the petitioners from legal action for violation of law, if any, committed by them. This order shall not be understood to have expressed any opinion whatsoever by this Court on the validity of the marriage of the petitioners.
6. Disposed of accordingly.

May 03, 2024

devinder

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No