

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-5441-2024 (O/M)

Date of decision : 07.06.2024

Sandeep Kumar and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

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

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HARSH BUNGER, J. (ORAL)

1. Prayer in the instant petition filed under Articles 226/227 of the Constitution of India is for issuance of directions to respondents No. 1 to 3 to provide protection of life and liberty to the petitioners, who have married against wishes of private respondents No. 4 and 5.

2. Learned counsel for the petitioners submits that petitioner No. 1- Sandeep Kumar, is aged about 19 years and petitioner No. 2-Ragini, is aged about 19 years. It is submitted that petitioner No. 2 (Ragini) is Muslim by religion. It is further submitted that petitioners wish to marry each other, however, respondents No. 4 and 5, who are mother and father of petitioner No. 2, want to marry petitioner No. 2 with a boy of their own choice, because of which, petitioner No. 2 left her home on 20.05.2024 and since then she living in live-in relationship with petitioner No. 1. It is next submitted that respondents No. 4 and 5 are threatening and trying to interfere in the life of petitioners. Hence, petitioners are seeking protection in this regard and have approached this Court by way of filing the instant petition.

3. Notice of motion only to official respondents No. 1 to 3 is being issued, at this stage.

4. At the asking of Court, Mr. Kanwarbir Singh, AAG Punjab, who is present in the Court, accepts notice on behalf of respondents No. 1 to 3-State.

5. Given the nature of order being passed, there is no necessity to seek any response by official respondents No. 1 to 3 or even to serve respondents No. 4 and 5.

6. In view of the above, present petition is disposed of with a direction to respondent No. 2-Senior Superintendent of Police, District SAS Nagar (Mohali), Punjab, to look into representation dated 31.05.2024 (Annexure P-3), qua threat perception, if any, and take necessary steps, if any required, in accordance with law to ensure that life and liberty of the petitioners is not jeopardized at the hands of respondents No. 4 and 5.

7. However, this direction shall not be construed to validate the live-in relationship between the petitioners. This order shall also not be taken to protect the petitioners from legal action for violation of law, if any, committed by them and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

(HARSH BUNGER)
JUDGE

07.06.2024
sjks

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No