

2024:PHHC:079930



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CRWP No.5574 of 2024
Date of decision: 13.06.2024**

RAJWINDER KAUR AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Atul Jain, Advocate for the petitioners.

Mr. Vishnav Gandhi, DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The petitioners namely Rajwinder Kaur and Palwinder Singh have approached this Court under Article 226 of the Constitution of India for seeking protection of their lives and personal liberty from private respondents No.6 and 7.

The contention of the petitioners is that both are major, aged about 21 years and more than 21 years respectively. In support thereof, copy of the Aadhaar Cards pertaining to the petitioners have been appended. The petitioners further contend that they have performed marriage against the wishes of their parents. The marriage of the petitioners was solemnized on 05.06.2024 at Amar Ilaia Darbar Dera Baba Dharm Dass Ji, Mohalla Riaka, Kapurthala as per Sikh rites and rituals. A copy of marriage certificate (Annexure P-3) issued by the aforesaid Gurudwara has also been appended. The petitioners apprehend threat to their lives and claim that there is a constant danger of being implicated in a false case.

Notice of motion restricted to respondents No.1 to 5 only.



Pursuant to supply of an advance copy, Mr. Vishnav Gandhi, DAG, Punjab has appeared and accepted notice on behalf of respondent Nos.1 to 5.

Learned counsel for the petitioners states that a representation dated 10.06.2024 (Annexure P-6) has also been submitted by the petitioners to the respondent No.2- Senior Superintendent of Police, Gurdaspur.

Learned State counsel has no objection if an appropriate direction for providing requisite protection to the petitioners is given.

Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to respondent No.2- Senior Superintendent of Police, Gurdaspur to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-6) and take appropriate action for protection of their lives and liberty as may be warranted by the circumstances.

However, it is clarified that in case any criminal case has been/is registered against the petitioners nothing in this order shall be construed as a bar for taking appropriate action by the police authorities in respect thereof in accordance with law.

The Registry is directed to send a copy of this order along with copy of the petition and above-said representation to respondent No.2-Senior Superintendent of Police, Gurdaspur for requisite compliance.

The petition stands disposed of, accordingly.

JUNE 13, 2024

Sonia Puri

**(VINOD S. BHARDWAJ)
JUDGE**

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