



126

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-8348-2024

Date of Decision: 30.08.2024

Avtar Singh and Another

..... Petitioners

Versus

State of Punjab and Others

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

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

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.(oral)

1. Petitioners Avtar Singh and Komal Pathak have filed present petition under Articles 226/227 of the Constitution of India for issuance of writ in the nature of Mandamus, directing official respondents No. 1 to 3 to protect life and liberty of petitioners from the hands of private respondents No. 4 to 8.

2. It is submitted that both petitioners are major. Petitioner No.1 is aged about 29 years, copy of his Aadhar Card is Annexure P-1. Petitioner No. 2 is aged about 20 years, copy of her Aadhar Card is Annexure P-2. They had performed marriage on 26.08.2024. Copy of Certificate of Marriage is Annexure P-3. Petitioners also moved representation to Senior Superintendent of Police, District Sangrur, Punjab, which is Annexure P-4. Petitioners had performed marriage without consent and wishes of parents/relatives of petitioner No. 2. Petitioners are receiving threats from respondents No. 4 to 8.

3. Notice of motion.
4. On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab accepts notice on behalf of State. Complete copy of paperbook along with supporting documents is already supplied.
5. Considering nature of litigation, no purpose would be served by serving notice to private respondents.
6. I have considered the facts narrated in petition, according to which both petitioners are major and they have performed marriage against wishes of family/relatives of petitioner No. 2, as a result they are apprehending threats from the hands of respondents No. 4 to 8. It is duty of police to protect life and liberty of petitioners. Therefore, respondents No.2 and 3 are directed to consider representation of petitioners dated 28.08.2024 (Annexure P-4) and protect life and liberty of petitioners from the hands of respondents No. 4 to 8, considering threat perception, with further direction to maintain their privacy and dignity.
7. Aforesaid protection order will have no bearing on legality and validity of marriage and it will not protect them in case there is any violation of law or pending legal proceedings.
8. Petition is accordingly disposed of.
9. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

30.08.2024

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