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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-8782-2024

Date of Decision:- 10.09.2024

SABNAM AND ANR

....Petitioners

Vs.

STATE OF PUNJAB AND ORS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Anosh Samson, Advocate for petitioners.
Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.

1. Petitioners Sabnam and Sunil have filed present petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.2 and 3 to protect their life and liberty from the hands of respondent Nos. 4 and 5, who are father and brother of petitioner No.1.

2. It is submitted that both petitioners are major. As per Aadhar card of petitioner No.1, Annexure P-1, her date of birth is 19.02.1996. On the other hand, as per Aadhar card of petitioner No.2, his date of birth is 30.05.1997. They had performed marriage on 05.09.2024. Copy of their marriage certificate and photographs are Annexures P-3 and P-4. Petitioners also moved representation to Senior Superintendent of Police, Gurdaspur which is Annexure P-5. Petitioners had performed marriage without the consent and wishes of father and brother of petitioner No.1, from whom, petitioners are receiving threats.

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 facts narrated in the petition, according to which both petitioners are major and they have performed marriage against the wishes of father and brother of petitioner No.1, as a result they are apprehending threats from the hands of respondent Nos.4 and 5. It is duty of police to protect life and liberty of petitioners. Therefore, respondent Nos.2 & 3 are directed to consider the representation of petitioners dated 07.09.2024 (Annexure P-5) and protect life and liberty of petitioners from the hands of respondent Nos.4 and 5, considering threat perception, with further direction to maintain their privacy and dignity.

7. Aforesaid protection order will have no bearing on the 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

10.09.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No