



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

CRWP-9078-2024 (O&M)

Date of Decision:- 18.09.2024

Pooja Shambhaji Patil @ Pooja Masih and AnotherPetitioners

Vs.

State of Punjab and Others

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Parivartan Singh, Advocate for the petitioners.

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

AMARJOT BHATTI, J. (Oral)

1. Petitioners Pooja Shambhaji Patil @ Pooja Masih and Daljeet Masih have filed present petition under Article 226 of the Constitution of India, directing respondents No. 2 and 3 to protect life and liberty of petitioners from the hands of private respondents No. 4 and 5.

2. It is submitted that both petitioners are major. As per PAN Card, Annexure P-1 as well as Aadhaar Card, Annexure P-2, of petitioner No. 1, her date of birth is 07.08.2000. On the other hand, as per Aadhaar Card of petitioner No. 2, Annexure P-3, his date of birth is 09.08.1999. They had performed marriage on 12.09.2024. Copy of Certificate of Marriage issued by Church i.e. Full Gospel of Love Society (Regd.), Zirakpur is Annexure P-4 and photographs regarding performing of their marriage are Annexure P-5. Petitioners also moved representation to Senior Superintendent of Police, Gurdaspur, Punjab, which is Annexure P-6. Petitioners had performed marriage without consent and wishes of family members of petitioner No. 1 and as such they are receiving threats from respondents No. 4 and 5.

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 of petitioner No. 1, as a result they are apprehending threats from the hands of respondents No. 4 and 5. 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 12.09.2024 (Annexure P-6) and protect life and liberty of petitioners from the hands of respondents No. 4 and 5, considering threat perception, with further direction to maintain their privacy and dignity.
7. Since, respondents No. 4 and 5 are residents of Mumbai, so whenever there is any apprehension to petitioners from respondents No. 4 and 5 on their arrival at Gurdaspur, then they will intimate to respondents No. 2 and 3 and their life and liberty will be protected.
8. 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.
9. Petition is accordingly disposed of.
10. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

18.09.2024

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(AMARJOT BHATTI)
JUDGE

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