



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

CRWP-9852-2024 (O&M)
Date of decision: 10.10.2024

Banita and another

.....Petitioners

VERSUS

State of Punjab and others

.....Respondents

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

Present:- Mr. Kapil Khanna, Advocate for the petitioners.
Mr. Ajaib Singh, Addl. A.G., Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The petitioners namely Banita and Parveen Kumar 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. 5 to 8.

The contention of the petitioners is that both are major, aged 20 years and 29 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 08.10.2024 at Prachin Pashupati Nath Shiv Mandir, Sector-6, Panchkula, Haryana as per Hindu Rites and Ceremonies. A copy of marriage certificate (Annexure P-3) issued by the aforesaid Mandir has also been appended. The petitioners



apprehend threat to their lives and claim that there is a constant danger of them being implicated in a false case.

Notice of motion restricted to respondents No.1 to 4 only.

Pursuant to supply of advance copy, Mr. Ajaib Singh, Addl. A.G., Punjab has appeared and accepted notice on behalf of respondents No.1 to 4.

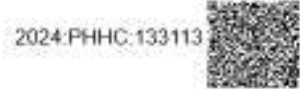
Learned counsel for the petitioners states that a representation dated 08.10.2024 (Annexure P-5) has also been submitted by the petitioners to the respondent No.2-Senior Superintendent of Police, District Pathankot, Punjab.

Learned State counsel has no objection if 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, District Pathankot, Punjab to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-5) 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, District Pathankot, Punjab for requisite compliance.

10.10.2024
Satyawan

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No