



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-10486-2024

Date of Decision:- 29.10.2024

HARVINDER KAUR AND ANR

....Petitioners

Vs.

STATE OF PUNJAB AND ORS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Vipin Kumar Sharma, Advocate for petitioners.
Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.

1. Petitioners Harvinder Kaur and Manpreet Singh 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 life and liberty of petitioners from the hands of respondent Nos. 4 and 5, who are parents of petitioner No.1.

2. It is submitted that both petitioners are major. Date of birth of petitioner No.1 is 01.07.2003. Copy of her Aadhar card is Annexure P-1. Date of birth of petitioner No.2 is 26.01.1998. Copy of his passport is Annexure P-2. They had performed marriage on 08.10.2024. Copy of their marriage certificate and photographs are Annexures P-3 and P-4. Petitioners also moved representation to Senior Superintendent of Police, Hoshiarpur, District Hoshiarpur and SHO, Police Station Mahilpur District Hoshiarpur which is Annexure P-5. Petitioners had performed marriage without the consent and wishes of parents of petitioner No.1, from whom, petitioners are receiving threats.

3. Notice of motion to official respondents.
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 parents 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 and 3 are directed to consider the representation of petitioners dated 22.10.2024 (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

29.10.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No