



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

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CRWP-11399-2024

Date of Decision:- 26.11.2024

Balwinder Singh and Anr.

....Petitioners

Vs.

State of Punjab and Ors.

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Rajender Kumar, Advocate for petitioners.

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

AMARJOT BHATTI, J.

1. Petitioners Balwinder Singh and Harmanpreet Kaur have filed present petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect life and liberty of petitioners from the hands of respondents No.4 to 6.

2. It is submitted that both petitioners are major. As per Aadhar Card of petitioner No.1 (Annexure P-1), his date of birth is 16.11.1993. On the other hand as per Aadhar Card and Matriculation Certificate of petitioner No.2 (Annexure P-2 and P-3 respectively), her date of birth is 17.12.1996. They had performed marriage on 22.11.2024. Marriage photographs are Annexure P-4 and copy of certificate of marriage is Annexure P-5. Petitioners also moved representation to Senior Superintendent of Police, District Mohali dated 22.11.2024, which is Annexure P-6. Petitioners had performed marriage without consent and wishes of family members of petitioner No.2. Respondent No.4 is father, respondent No.5 is brother and respondent No.6 is uncle of petitioner No.2 from whom, petitioners are receiving threats.

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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 respondent.
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 members of petitioner No.2, as a result they are apprehending threats from the hands of respondents No. 4 to 6. It is duty of police to protect life and liberty of petitioners. Therefore, respondents No. 2 & 3 are directed to consider representation of petitioners dated 22.11.2024 (Annexure P-6) and protect life and liberty of petitioners from the hands of respondents No. 4 to 6, 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.

26.11.2024
Sunil Devi

(AMARJOT BHATTI)
JUDGE

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