

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 217

CRWP No.7057 of 2024**Date of Decision: February 15, 2025**Payal Dutta & another

..... PETITIONER(S)

*VERSUS*State of Punjab & others

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**PRESENT:** - Mr. Rahul Saini, Advocate, for Dr. Sumati Jund,
Advocate, for the petitioners.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Mahabir Singh Sindhu, J

Present petition has been filed under Article 226 of the Constitution for directing respondent Nos.1 to 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.4 and 5.

2. Status report filed by affidavit dated 19.10.2024 of Mr. Jatinder Pal Singh, PPS, DSP, Sub Division, Dasuya, District Hoshiarpur, is taken on record. Copy thereof supplied to the other side.

Registry to do the needful.

3. It transpires that despite sufficient opportunity, petitioners did not file process fee for service of private respondents. In view of the above, this Court was inclined to dismiss the writ petition for non-prosecution.

4. However, for reference, para 4 and 5 of the aforesaid affidavit, being relevant, are extracted as under:-

4. That it is submitted that the police of P.S. Talwara also recorded statements of respondent No.4 and 5 and they stated that the petitioner Payal Dutta is major and she has solemnized marriage with petitioner Rajesh Kumar Kashyap with her free consent. The petitioners are living as husband and wife at Village Bahekito, P.S. Talwara, District Hoshiarpur. They have no objection over the marriage of the petitioners



and they will not interfere in their married life in future. The true translations of statements respondent No.4 and 5 are annexed as Annexure R-1/T and R-2/T.

5. That it is submitted that as per inquiry conducted into the aforesaid application by SHO, P.S. Talwara, District Hoshiarpur, the petitioners do not have any danger to their life and liberty from any person and they do not require police protection. The respondent No.4 and 5 also stated that they have no objection over the marriage of the petitioners and they will not interfere in their married life in future. However, the police of P.S. Talwara, District Hoshiarpur is ready and willing to provide police protection to the petitioners as and when they will approach for the same.

5. In view of the above extract, it transpires that respondent Nos.4 and 5 have no objection against the petitioner's marriage; nor they are interfering in their marital affairs. It is also specifically mentioned in para 5 that petitioners do not have any danger to their life and liberty as on today.

6. Consequently, no further direction is required to be issued in the present petition and the same is disposed off accordingly.

7. It is made clear that in case an occasion so arises, petitioner(s) would be at liberty to take recourse to remedy available under law.

Pending application(s), if any, shall also stand disposed off.

(Mahabir Singh Sindhu)
Judge

February 15, 2025

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Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No