

(2022) 06 P&H CK 0118

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 6155 Of 2022 (O&M)

Gurwinder Kaur And Anr

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 24-06-2022

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2022) 06 P&H CK 0118

Hon'ble Judges : Vinod S. Bhardwaj, J

Bench : Single Bench

Advocate : Ashwani Nagra, Neeraj Jain, Amarjit Kaur Khurana

Final Decision : Disposed Of

Judgement

Vinod S. Bhardwaj, J

The petitioners namely Gurwinder Kaur and Gurbinder Singh have approached this Court under Article 226 of the Constitution of India for seeking protection of their life and personal liberty from private respondents Nos.4 to 10.

The contention of the petitioners is that they are major, aged 23 years and 26 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 17.06.2022 at Gurudwara Himatsar Sahib Ji, Ward No.10, Gidderbaha, District Sri Muktsar Sahib according to Sikh rites and ceremonies. A copy of marriage certificate (Annexure P-3) has also been appended. The petitioners apprehend threat to their lives and claim that there is a constant danger of being implicated in a false case.

Notice of motion restricted to respondents Nos.1 to 3 only.

Pursuant to supply of advance copy, Ms. Amarjit Kaur Khurana, DAG Punjab has appeared and accepted notice on behalf of respondents Nos.1 to 3.

Learned counsel for the petitioners states that a representation dated 18.06.2022 (Annexure P-4) has also been submitted by the petitioners to the respondent No.2-Senior Superintendent of Police, Fazilka.

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, Fazilka to look into the grievances of the petitioners as set out in the petition and also expressed in the representation dated 18.06.2022 (Annexure P-4) 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, Fazilka for requisite compliance.

The petition is disposed of.