

(2022) 06 P&H CK 0104

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 5936 Of 2022

Komalpreet Kaur And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 20-06-2022

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2022) 06 P&H CK 0104

Hon'ble Judges : Vinod S. Bhardwaj, J

Bench : Single Bench

Advocate : Prateek Pandit, Amarjit Kaur Khurana

Final Decision : Disposed Of

Judgement

Vinod S. Bhardwaj , J

The petitioners namely Komalpreet Kaur and Harjinder Singh have approached this Court under Article 226 of the Constitution of India for seeking protection of their lives and personal liberty from private respondent.

The contention of the petitioners is that both are major, aged 19 years and 33 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 13.06.2022 at Gurudwara Guru Nanak Niwas Sahib, Pind Karor Kalan, District Mohali as per Sikh rites and rituals. A copy of Marriage Certificate (Annexure P-4) issued by the aforesaid Gurudwara 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 No.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 No.1 to 3.

Learned counsel for the petitioners states that a representation dated 13.06.2022 (Annexure P-5) has also been submitted by the petitioners to the respondent No.2-Senior Superintendent of Police, Kapurthala.

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, Kapurthala 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, Kapurthala for requisite compliance.

The petition is disposed of.