

(2024) 10 P&H CK 1214
In the Punjab And Haryana At Chandigarh
Case No : CRWP Of 10597 Of 2024

Mehak And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 31-10-2024

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2024) 10 P&H CK 1214

Hon'ble Judges : Sanjay Vashisth, J

Bench : Single Bench

Advocate : Imran Farooqi, D.S. Lamba

Final Decision : Disposed Of

Judgement

Sanjay Vashisth, J

1. Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to official respondents No. 1 to 3, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

2. Learned counsel for the petitioners submits that petitioner No.1– Mehak, aged about 21 years and petitioner No.2 – Mohd. Shaheed, aged 23 years, have solemnized marriage/Nikah on 25.10.2024, against the wishes of their family members, arrayed as respondents No. 4 to 6. Learned counsel for the petitioners further submits that it is the first marriage of both the petitioners. It has been submitted that the private respondents are threatening to interfere in the matrimonial life of the petitioners. Hence, the petitioners are seeking protection in that regard and have approached this Court by way of filing the instant petition. They have also submitted a representation dated 25.10.2024 (Annexure P-4), to respondent No. 2 – Senior Superintendent of Police, Malerkotla, wherein, they have expressed their apprehension.

3. Notice of motion.

4. On asking of the Court, Dr. D.S. Lamba, DAG, Punjab., accepts notice on behalf of respondents No. 1 to 3 (State).

5. In view of the above, the present petition is disposed of with a direction to respondent No. 2 – Senior Superintendent of Police, Malerkotla, to look into the representation dated 25.10.2024 (Annexure P-4), qua threat perception, and if there is any substance in it, take necessary steps, in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of the private respondents.

6. However, this direction will not validate the marriage/Nikah said to have taken place between the parties and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

7. It is also made clear that this order is subject to the supply of copy of complete paper book to the learned State counsel during day course by the learned counsel for the petitioners.