

(2023) 06 P&H CK 0049

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 6063 Of 2023

Palvi And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 16-06-2023

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2023) 06 P&H CK 0049

Hon'ble Judges : Vinod S. Bhardwaj, J

Bench : Single Bench

Advocate : L.S. Lakhanpal, Charanpreet Singh

Final Decision : Disposed Of

Judgement

Vinod S. Bhardwaj, J

The petitioners namely Palvi and Rajan Kumar have approached this Court under Article 226 of the Constitution of India for seeking protection of their life and personal liberty from private respondents No.4 to 7.

1. The contention of the petitioners is that they are major, aged 18 years and 24 years respectively. In support thereof, copy of the Matriculation Certificate of petitioner No. 1 and copy of Aadhar Card pertaining to the petitioner No. 2 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 06.06.2023 at Shri Venkateshwar Tirupati Bala Ji Mandir, Jalandhar Cantt, according to Hindu 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.

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

3. Pursuant to supply of advance copy, Mr.Charanpreet Singh, AAG, Punjab, who

is present in the Court, accepts notice on behalf of the respondents No.1 to 3 only.

4. Learned counsel for the petitioners states that a representation dated 06.06.2023 (Annexure P-4) has also been submitted by the petitioners to the respondent No.2- Sr. Superintendent of Police, Pathankot.

6. Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

7. 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- Sr. Superintendent of Police, Pathankot to look into the grievances of the petitioners as set out in the petition and also expressed in the representation dated 06.06.2023 (Annexure P-4) and take appropriate action for protection of their lives and liberty as may be warranted by the circumstances. He is further directed to look into the matter after affording opportunity of hearing to all the concerned parties.

8. 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.

9. 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-Sr. Superintendent of Police, Pathankot, for requisite compliance.

10. The petition is disposed of.

11. All other misc. application(s), if any, also stand(s) disposed of accordingly.