
(2022) 09 P&H CK 0126

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 9435 Of 2022

Sandeep Kaur And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 30-09-2022

Acts Referred:

Constitution Of India, 1950 — Article 21, 226

Citation : (2022) 09 P&H CK 0126

Hon'ble Judges : Ashok Kumar Verma, J

Bench : Single Bench

Advocate : Pushpinder Singh, G.S. Sandhu

Final Decision : Disposed Of

Judgement

Ashok Kumar Verma, J

Through this petition under Article 226 of the Constitution of India, prayer has been made for issuance of a direction to respondents No. 1 to 3 to protect the life and liberty of the petitioners from the hands of respondent No.4, as they have solemnized marriage against the wishes of private respondent.

Learned counsel for the petitioners contends that both the petitioners are major and they have right to live their life on their own terms. However, the private respondents are adamant to separate them from each other by resorting to illegal means. Learned counsel further submits that in view of imminent danger to the life and liberty of the petitioners, they have moved a representation dated 23.09.2022 (Annexure P-4) to respondent No.2-Senior Superintendent of Police, Rupnagar.

Notice of motion to official respondents No.1 to 3 only at this stage.

On the asking of the Court, Mr. G.S. Sandhu, Deputy Advocate General, Punjab, accepts notice on behalf of respondents No.1 to 3.

I have heard learned counsel for the petitioners and the State and perused the

paper book.

Having regard to the facts and circumstances of the case, I am of the view that the petitioners are at liberty to live together being major and no person shall be permitted to interfere in their peaceful living as right to life is a fundamental right under Article 21 of the Constitution of India which mandates that no person shall be deprived of his right to life and personal liberty.

In view of the above, this petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, Rupnagar, to look into the representation dated 23.09.2022 (Annexure P-4) of the petitioners seeking protection of life and liberty and if necessary, requisite steps be taken strictly in accordance with law for grant of protection of life and liberty of the petitioners

It is, however, clarified that in case, there is any criminal case registered against the petitioners, this order shall not be construed as an impediment for the law enforcing agency to proceed against the petitioners, in accordance with law.