
(2019) 12 P&H CK 0234

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 1910 Of 2019

Shivani And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 11-12-2019

Acts Referred:

Citation : (2019) 12 P&H CK 0234

Hon'ble Judges : Arun Kumar Tyagi, J

Bench : Single Bench

Advocate : Amandeep Singh, Rajpal Singh

Final Decision : Disposed Of

Judgement

1. The petitioners have approached this Court seeking protection of their life and liberty on the averments that the petitioners, being major, performed marriage on 07.12.2019 at Prachin Pashupati Nath Shiv Mandir, MDC, Sector-6, Panchkula, as per Hindu rites and ceremonies against the wishes of respondents No. 4 and 5 and the petitioners are apprehending threat to their life and liberty at their instance.

2. Notice of motion.

3. On asking of the Court, Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of respondents No. 1 to 3. Copy of paper book has been supplied to learned State Counsel.

4. The petitioners, who are major as per the documents including Birth Certificate of petitioner No. 1 and Aadhar Card of petitioner No. 2 attached with the petition, are present in the Court and duly identified by their Counsel. On being questioned by the Court, the petitioners have admitted having solemnized marriage and reiterated their prayer as mentioned in the petition.

5. Learned counsel for the petitioners states that a representation dated 07.12.2019 (Annexure P-5) was made to the Senior Superintendent of Police,

SAS Nagar (Mohali) seeking necessary protection but no action has been taken so far in the matter.

6. 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, SAS Nagar (Mohali) 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 life and liberty as may be warranted by the circumstances.

7. However, it is clarified that in case any criminal case has been/is registered against petitioner No. 2, then nothing in this order shall be construed as a bar to taking of appropriate action by the police authorities against him in respect thereof in accordance with law.

8. 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, SAS Nagar (Mohali) for requisite compliance.