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**(2022) 10 P&H CK 0028**

**In the Punjab And Haryana At Chandigarh**

**Case No : Criminal Writ Petition No. 9631 Of 2022**

Surekha Rani And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

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**Date of Decision : 07-10-2022**

**Acts Referred:**

Constitution Of India, 1950 — Article 21, 226

**Citation : (2022) 10 P&H CK 0028**

**Hon'ble Judges : Nidhi Gupta, J**

**Bench : Single Bench**

**Advocate : Ravinder Singh Dhillon**

**Final Decision : Disposed Of**

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## **Judgement**

Nidhi Gupta, J

Prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioners, who have married against the wishes of private respondent i.e. respondent No.4.

Petitioner No.1-Surekha Rani is stated to be born on 26.2.1983 and for this purpose, reference has been made to Aadhar Card (Annexure P-1). Petitioner No.2-Baljit Singh is stated to be born on 19.04.1978 and for the said purpose, reference has been made to Aadhaar Card (Annexure P-2). The petitioners have solemnized Marriage on 28.9.2022. A copy of the Marriage Certificate of the petitioners is annexed to the petition as Annexure P-4.

Notice of motion.

Learned counsel for the petitioner submits that this is the second marriage of both the petitioners. The marriage of petitioner No.1 was dissolved vide judgment dated 09.2.2016 passed by Additional Civil Judge (Sr. Divn.), Jagraon exercising the powers of the District Judge. The marriage of petitioner No.2 was

dissolved vide judgment dated 25.11.2020 passed by the Principal Judge, Family Court, Bathinda.

Mr. Mohit Kapoor, Addl. A.G., Punjab appears and accepts notice on behalf of respondents Nos.1 to 3 and has stated that he has no objection in case respondent no.2 is directed to look into the representation of the petitioners on the aspect of threat perception and to take appropriate action, in accordance with law.

This Court has heard learned counsel for the parties.

It goes without saying that the protection of life and liberty is a basic feature of the Constitution of India as emanating out of Article 21. Every person, more so, a major, has right to live his/her life with a person of his/her choice. Whenever this Court, prima-facie, is satisfied that on account of some relatives/ persons being unhappy with the relationship between the petitioners could cause harm to the life and liberty of the petitioners, then in such circumstances, the Courts are required to pass necessary directions for their protection.

Keeping in view the abovesaid facts and circumstances, this Court deems it appropriate to dispose of the present petition with a direction to respondent no.2- Senior Superintendent of Police, District Bathinda to consider the representation dated 28.9.2022 (Annexure P-5) and to assess the threat perception to the petitioners and after considering the same, respondent No.2 shall take appropriate action in accordance with law.

Accordingly, the petition stands disposed of with abovesaid directions.