

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRWP-3122-2023 (O&M)

Date of Decision: 31.03.2023

NISHA RANI AND ANR

..... PETITIONERS

VS

STATE OF PUNJAB AND ORS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Ms. Gaganjeet Kaur, Advocate for the petitioners.

GURBIR SINGH, J. (ORAL)

The petitioners seeks a writ in the nature of mandamus directing respondent Nos. 1 and 3 to provide adequate security and protect their life and liberty and not to interfere in the peaceful life of the petitioners at the behest of respondents No.4 to 7 and other relatives.

It has been averred that the date of birth of petitioner No.1 is 20.11.2000 while date of birth of petitioner No.2 is 09.07.1995. Copies of Aadhar Cards of petitioner Nos.1 & 2 to this effect are attached as Annexures P-1 and P-2 respectively.

It has been submitted that the marriage of the petitioners was solemnized on 27.03.2023. The marriage Certificate and marriage photographs are attached as Annexure P-3 and Annexure P-4. Private respondent Nos.4 and 5 had opposed to their marriage, as the petitioners had performed the marriage without their consent. The petitioners have submitted representation dated 27.03.2023 (Annexure P-4) to respondent No.2-Senior Superintendent of Police, Moga seeking protection of their lives and liberty at the hands of the

private respondent. Notice of motion to respondent Nos.1 to 3 only at this stage.

On the asking of the Court, Mr. Gurlal Singh Dhillon, AAG, Punjab, accepts notice on behalf of respondent Nos.1 to 3.

Without expressing any opinion on the merits of the matter and in particular the legality of the alleged relationship, the present petition is disposed of with a direction to respondent No.2-Senior Senior Superintendent of Police, Moga, District Punjab to forthwith consider the aforesaid representation dated 20.03.2023 (Annexure P-4) made on behalf of the petitioners and thereafter, take appropriate action on the same as is deemed fit in accordance with law to ensure the protection of life and liberty of the petitioners. Till then, protect the life and liberty of the petitioners. Respondent No.2 would pass necessary order without being influenced by any pleadings made in the petition.

It is made clear that this order shall not be taken to validate the alleged relationship between the petitioners or protect them from legal action for violation, if any, committed by them.

(GURBIR SINGH)
JUDGE

31.03.2023
renu/kusum

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No