

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH****CRM-M-13532-2015
Date of decision:.28.04.2015**

Harjinder Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Sarvesh Kumar Gupta, Advocate for the petitioners.**RAMESHWAR SINGH MALIK, J. (Oral)**

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C., seeking direction to the official respondents for providing protection to their life and liberty at the hands of private respondents.

Learned counsel for the petitioners submits that when the grievance of the petitioners was not being redressed, they finally approached the Superintendent of Police, Mansa-respondent No.2 as well as Superintendent of Police, Fatehabad-respondent No.3 by way of representation dated 23.4.2015 (Annexure P-4), but the same is also pending decision. He further submits that the petitioners will be satisfied in case respondents No.2 and 3 are directed to consider and decide their representation, within a reasonable time.

Having heard the learned counsel for the petitioners and without expressing any opinion on the merits of case, lest it should prejudice the rights of either of the parties, Senior Superintendent of Police, Mansa-respondent No.2 and Superintendent of Police, Fatehabad-respondent No.3, are directed to look into the matter, consider the grievance of the petitioners including threat perception raised by the petitioners in their representation dated 23.4.2015 (Annexure P-4) and decide the same at an early date, by passing an appropriate order thereon, strictly in accordance with law, so as to ensure that no harm is caused to the life and liberty of the petitioners. They shall take an appropriate action at an early date but in any case within a period of two weeks from the date of receipt of a certified copy of this order.

However, lest this order is misunderstood, it is clarified that this order shall not mean that the petitioners had reached the age of marriage, as required by the law applicable to them, at the time of their marriage or that their marriage is legal as per the relevant provisions of law. It is so said because neither it is the issue involved in the present petition nor this Court is putting its seal of approval on the validity of marriage of the petitioners. In fact, it is the domain of the matrimonial Court of competent jurisdiction, to decide the validity of the marriage and that too on the basis of the pleadings taken and the evidence led by the parties in the given circumstances of each case.

It is also made clear that this order shall not entitle the petitioners for any protection against their arrest or continuance of any criminal proceedings, if they are found involved in the commission of any cognizable offence. In case the petitioners had committed any offence, the law will take its own course.

With the above-said observations made and directions issued, the present petition stands disposed of.

28.04.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE