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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-45423 of 2016 (O&M)

Date of Decision: 21.12.2016

Komalpreet and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Harkaran Singh, Advocate for the petitioners.

SUDIP AHLUWALIA J. (ORAL)

CRM Nos.40663 & 40664 of 2016

Prayer in these applications is to implead the Senior Superintendent of Police, Mohali as respondent No.6 and for placing on record copy of the representation sent to him in the form of Annexure P-6.

On the submissions made, the applications are allowed.

CRM-M-45423 of 2016

Both the petitioners are present in person and identified by their counsel. They seek protection of their life and liberty by contending that both of them having attained the age of majority, having married each other against the wishes of their respective family members-respondent Nos.4 & 5, and so seek appropriate protection from the authorities. They submitted representations (Annexures P-5 & P-6) in this regard to the Senior Superintendent of Police, Chandigarh and the Senior Superintendent of Police, Mohali on 16.12.2016, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

2. Both of them do appear to have crossed the age of majority as

seen from the copies of documents filed and have married, each other in support of which, photographs and Marriage Certificate issued by “Prachin Sh. Shiv Mandir, MDC, Panchkula” and (Annexures P-3 & P-4) have been placed on record.

3. For the aforesaid reasons, this appears to be a fit case for this Court to invoke the inherent powers under Section 482 of the Cr.P.C. and in view of the mandate contained in Article 21 of the Constitution of India to protect the citizen's right to life and liberty.

4. Thus the Senior Superintendent of Police, Chandigarh and the Senior Superintendent of Police, Mohali are directed to consider the representations dated 16.12.2016 (Annexures P-5 & P-6) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

5. It is nevertheless clarified that this order is issued only on the premise that the petitioners have crossed the age of majority as seen from the documents placed on record being their Aadhar Cards. This would not *ipso facto* amount to granting any seal of approval on the legality of their marriage which essentially would come in the domain of the concerned Matrimonial Courts. Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

6. The petition is disposed off with the above direction.

(SUDIP AHLUWALIA)
JUDGE

21.12.2016

Bhumika

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No