

Criminal Misc. M- No. 17059 of 2017 (O&M)

Date of decision : May 12, 2017

Gagan Deep and another

.....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Munish Bhardwaj, Advocate
for the petitioners.

LISA GILL, J.

The present petition has been filed by the petitioners for protection of their life and liberty as they apprehend danger at the hands of respondents No. 3 and 4 and other relatives because they have married each other on 09.05.2017 against the wishes of the said respondents. Both the petitioners present in Court, duly identified by their counsel, on being asked submit that they have solemnized marriage between themselves out of their own free will and volition.

It is contended that the petitioners are major, their dates of birth being 08.08.1995 and 03.06.1993, respectively. True copies of Adhaar Cards of both the petitioners have been appended with the petition as Annexures P1 and P2, respectively though the Adhaar Card (Annexure P2) shows that no specific date is mentioned and only year of birth i.e., 1993 has been mentioned. The photographs of the marriage are on record as Annexure P3.

It is submitted that the petitioners have submitted a representation dated

09.05.2017 (Annexure P4) to respondent No.2 i.e., the Commissioner of Police, Jalandhar for redressal of their grievance but no action has been taken thereon.

Notice of motion to the Advocate General, Punjab.

On the asking of the Court, Mr. Deep Singh, AAG, Punjab accepts notice on behalf of respondents No.1 to 2. A copy of the petition has been handed over to learned counsel for the State.

Without commenting upon the age of the petitioners or the validity of their marriage or the validity and genuineness of the certificates appended with the petition, respondent No.2 –Commissioner of Police, Jalandhar is directed to decide representation dated 09.05.2017 submitted by the petitioners and take appropriate action keeping in view the threat perception to the petitioners.

It is, however, made clear that this order shall have no effect on the validity of the alleged marriage of the petitioners and neither will any other civil or criminal proceedings initiated against the petitioners be barred due to this order.

Petition is disposed of accordingly.

May 12, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No