

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.10144 of 2018
Date of decision : 09.03.2018

Swatantra Kumar and anr.

....Petitioners

versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE B.S. WALIA

Present: Mr. Amandeep Singh Gulati, Advocate for the petitioners.

* * * *

B.S. WALIA, J.(Oral)

1. Learned counsel on the basis of Aadhar Cards (Annexures P-1 and P-2) contends that date of birth of petitioner No.1 is 26.01.1996 while date of birth of petitioner No.2 is 15.02.1997. Therefore, both the petitioners are major and there is no legal impediment to their marriage and on account of mutual liking for each other, they got married on 7.3.2018 at Panchkula and were issued marriage certificate (Annexure P-3) by the Priest who performed their marriage.

2. Learned counsel contends that the marriage was against the wishes of respondents No.4 to 8 i.e. Parents and brothers of petitioner No.2, who are threatening the petitioners with harm to their life and liberty. He further contends that despite a representation (Annexure P-5) having been submitted by the petitioners to respondent No.2 praying for protection of their life and liberty, no action has been taken in respect thereto till date. Therefore, the petitioners left with no other option have invoked the jurisdiction of this Court for protection of their life and liberty.

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

4. On the asking of the Court, Ms. Jaspreet Kaur, AAG, Punjab, who is present in Court, accepts notice on behalf of respondent Nos.1 to 3. Complete paper book has been supplied to the learned State counsel in Court.

5. Without expressing any opinion with regard to the validity of the marriage and the assertions made in the petition, the present petition is disposed of by directing respondent No.2-Senior Superintendent of Police, Distt. Mohali, Punjab to consider the representation dated 7.3.2018 moved by the petitioners and assess threat perception to their life and liberty at the hands of respondent Nos.4 to 8 and if the circumstances of the case so warrant, to provide appropriate protection to them, in accordance with law.

6. With the aforementioned directions, the present petition is disposed of.

(B.S. WALIA)
JUDGE

March 09, 2018

ps

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No