

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

CRM No.M-12440 of 2018 (O&M)

Date of Decision : 23.03.2018.

Manjeet Kaur and Anr.

... Petitioners

Versus

State of Punjab and others

.... Respondents

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

Present: Mr. Harpinder Kaur Sandhu, Advocate
for the petitioners.

B.S.WALIA, J.

Learned counsel contends that as per Aadhaar Card (Annexure P-1), date of birth of petitioner No.1 is 26.01.1995, therefore she is about 23 years of age, while as per Aadhaar Card (Annexure P-2) and photocopy of Voter ID card produced in Court, date of birth of petitioner No.2 is 29.08.1996, in other words, petitioner No.2 is more than 21 years of age. Photocopy of the Voter Card of petitioner No.2 is duly attested by learned counsel for the petitioners is taken on record. Learned counsel further contends that the petitioners fulfill all conditions stipulated under law to entitle them to get married and on account of mutual liking for each other, they got married on 21.03.2018 at Baba Jivan Singh Ji Raghreta Yadgari Gurdwara Sahib, Boran Gate, Nabha, Patiala with their own will and without any pressure from any person whereupon marriage certificate dated 21.03.2018 was issued to them. Though the same is not on record, original has been produced in Court. Photocopy of the same, duly attested by learned counsel for the petitioner is taken on record.

Learned counsel states that the marriage was performed by the

petitioners against the wishes of respondent Nos.4 and 5 i.e. father and brother of petitioner No.1, who are threatening the petitioners with harm to their life and liberty for having married against their wishes. Petitioners claim to have given a representation dated 21.03.2018 (Annexure P-4) to respondent No.2 seeking protection against the threats of harm to their life and liberty held out by respondents No.4 and 5, but of no action having been taken in respect thereto. I have considered the submissions of learned counsel. The petitioners got married at Patiala on 21.03.2018 and submitted representation (Annexure P-4) on same day to respondent No.2 and filed instant petition thereafter on 22.03.2018. Petitioners have invoked the jurisdiction of this Court without giving time to respondent No.2 to decide the representation and take action as may be warranted in the facts and circumstances of the case.

Accordingly, without expressing any opinion with regard to the age of the petitioners or marriage stated to have been performed by them, I am of the view that this petition is premature. Petitioners are directed to approach respondent No.2 with regard to the representation (Annexure P-4). Respondent No.2 would if aforesaid representation has not already been decided, consider and decide the same at the earliest, regard being had to the urgency. If on consideration of representation, respondent No.2 is of the view that there is threat to petitioners life and liberty at the hands of respondent Nos.4 and 5 and the circumstances of the case so warrant, then in that situation respondent No.2 shall provide appropriate security to the petitioners in accordance with law.

Petition stands disposed of in aforementioned terms.

(B.S.WALIA)
JUDGE

23.03.2018