

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.12636 of 2018
Date of decision :23.03.2018

Kumari Nidhi Pandey and anr.

....Petitioners

versus

State of Punjab & others

...Respondents

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

Present: Mr.Sukhbir Singh, 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 08.10.1995 in other words she is more than 22 years of age while date of birth of petitioner No.2 is 17.12.1988 in other words he is more than 29 years of age. Learned counsel further contends that the petitioners fulfill all conditions necessary under law to entitle them to get married and there is no legal impediment to their marriage, therefore, on account of mutual liking for each other, they got married on 22.03.2018 at Mohali and were issued marriage certificate (Annexure P-4).

2. Learned counsel contends that the marriage was against the wishes of respondent No.4 i.e. father of petitioner No.1, who is threatening the petitioners with harm to their life and liberty. Learned counsel contends that representation (Annexure P-5) on behalf of the petitioners was not accepted in the office of Senior Superintendent of Police, Jalandhar where it was sought to be submitted by a friend of petitioner No.2, therefore, the petitioners, left with no other option have invoked the jurisdiction of this Court for protection of their life and liberty.

3. I have considered the submissions of learned counsel.

Neither the name of the friend of petitioner No.2 who went to the

office of SSP, Jalandhar nor his affidavit has been placed on record. Besides, the SSP, Jalandhar has not been impleaded as a respondent in this petition. There is no averment that any other representation was submitted to any other official respondent.

5. Without expressing any opinion with regard to the validity of the marriage or the assertions made in the petition, the petition is disposed of by granting liberty to the petitioners to submit a representation to respondent No.2- Commissioner of Police, Jalandhar Rural, Punjab. In case any representation is submitted to respondent No.2 by the petitioners, the Commissioner of Police, Jalandhar Rural, Punjab would consider and take decision in respect thereto in accordance with law at the earliest. If on consideration of the representation, respondent No.2 is of the view that there is threat to the petitioners life and liberty at the hands of respondent No.4 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.

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

March 23, 2018
ps

(B.S. WALIA)
JUDGE

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