

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

CRM-M No. 26880 of 2018 (O & M)

Date of Decision: 24.7.2018

Kulwinder and another

.....Petitioners

v.

State of Punjab and others

.....Respondents

CORAM HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- None for the petitioners

Mr. K.S. Aulakh, DAG, Punjab

RAJBIR SEHRAWAT, J.

The present petition has been filed by the petitioners seeking protection of their life and liberty by contending that both of them having attained the age of majority, have married each other against the wishes of their respective family members/respondents No.3 and 4 and so seek appropriate protection from the authorities. They submitted a representation (Annexure P-7) in this regard to the **Senior Superintendent of Police, Ludhiana** on 27.6.2018, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members/respondents.

Vide order dated 29.6.2018, notice of motion was issued with an interim direction to protect life and liberty of the petitioners.

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 (Annexures P-6) has been placed on record. 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.

Thus, the Senior Superintendent of Police, Ludhiana is directed to consider the representation dated 27.6.2018 (Annexure-P-7) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

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 **Aadhaar Card and Matriculation Certificate** of petitioner No.1 and **Aadhar Card and Senior Secondary School Certificate** of petitioner No.2 (Annexures **P-1 to P-4**). 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).

The petition is disposed off with the above direction.

(RAJBIR SEHRAWAT)
JUDGE

24.7.2018

Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No