

Sr. No.121

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

CRM-M-No.37565 of 2018 (O&M)

Decided on: 29.08.2018

Pooja Rani and anotherPetitioners

Versus

State of Punjab and othersRespondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. H.S. Mann, Advocate
for the petitioners.

Rajbir Sehrawat, J. (Oral)

Both the petitioners are present in person and identified by their counsel. They seek protection of their life and liberty by contending that both of them have married each other against the wishes of their respective family members/respondents No.4 to 7 and so seek appropriate protection from the authorities. They submitted a representation (Annexure P-5) in this regard to the **Senior Superintendent of Police, Sangrur** on 27.08.2018, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members/respondents.

Although the petitioners have not crossed the age of majority, however, the counsel has relied upon judgments of this Court rendered in **CRM-M No.2121 of 2015 – Jaswinder Kaur v. State of Punjab and others**, **CRM-M-5899 of 2014 – Sabba Singh @ Sarbjeet Singh @ Harmanpreet Singh v. State of Punjab and others** and **CRM-M No.35410 of 2010 – Neelam Rani and another v. State of Haryana and others**, to contend that petitioners have reached the age of discretion and understanding and, therefore, the protection of life and liberty cannot be denied on the ground that petitioners have not attained the age of majority.

They have married each other, in support of which photographs (Annexures P-4) 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, Sangrur is directed to consider the representation dated **27.08.2018** (Annexure-P-5) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

The petitioners have produced on record a copy of their marriage certificate(**Annexure P-2**). 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.

29th August, 2018
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[RAJBIR SEHRAWAT]
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>