

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

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CRM-M-8439-2019(O&M)
Decided on: 25.02.2019

Anju Rani and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

Coram: **HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present: Ms. Deepshikha, 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 having attained the age of majority, have married each other against the wishes of their respective family members/respondents No.4 and 5 and so seek appropriate protection from the authorities. They submitted a representation (Annexure P-5) in this regard to the Senior Superintendent of Police, District SBS Nagar on 20.02.2019, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members/respondents.

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- 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.

At this stage, Mr. Raghav Goyal Chandiwal, Advocate has put in appearance on behalf of respondents No.4 and 5 and submits that he has instructions to submit that respondents No.4 and 5 have never objected to the marriage of petitioner No.1. They have never interfered nor do they have any intention to interfere in the life of petitioner No.1.

However, the Senior Superintendent of Police, District SBS Nagar, is directed to consider the representation dated 20.02.2019 (Annexure-P-5) 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 Cards of the petitioners No.1 & 2 (Annexures P-1 & P-2). The petitioners have produced on record a copy of their marriage certificate (Annexure P-3). 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.

25.02.2019

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[RAJBIR SEHRAWAT]
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No