

Sr. No.115

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

**CRM-M-No.14002 of 2019(O&M)
Decided on: 28.03.2019**

**Rajanvir Kaur and anotherPetitioners
Versus
State of Punjab and othersRespondents**

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Jandeep Suman, Advocate
for the petitioners.
Mr. Gaurav Kalsi, Advocate for
respondents No.4 and 5.

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, Kapurthala** on 23.03.2019, 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-3) have been placed on record.

Learned counsel appearing for respondents No.4 and 5 submits that respondents No.4 and 5 do not have any objection to the marriage of the petitioners. It is further submitted that the petitioners are at liberty to live wherever they want, as per their choice.

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, Kapurthala is directed to consider the representation dated 23.03.2019 (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-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.

March 28, 2019
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[RAJBIR SEHRAWAT]
JUDGE

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