

111 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SMRITI
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(Proceedings conducted through video conferencing)

CRWP-4154-2020

Date of Decision: 26.06.2020.

JYOTSNA AND ANOTHER

... PETITIONERS

VS.

STATE OF PUNJAB AND OTHERS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Gautam Kaile, Advocate, for the petitioners.

VIVEK PURI, J.(ORAL)

Heard.

Learned counsel for the petitioners had relied upon the judgment of Hon'ble Supreme Court of India, titled as **Nandakumar and another Versus State of Kerala and others, 2018 AIR (SC) 2254** and judgment of this Court rendered in **CWP No. 31834 of 2019** titled as **Megha and another Versus State of Haryana and others, decided on 04.11.2019.**

Notice of motion to official respondents only.

Mr. Ramdeep Partap Singh, Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State. Copy of paper book be supplied to him during the course of day through e-mail.

The date of birth of petitioner No.2 is 19.08.2000 (as per affidavit annexed with this petition as Annexure P2 (colly), though a major, but not of marriageable age. On the contrary, the date of birth of petitioner no.1 as mentioned in the Aadhar Card is 02.10.1995.

It has been stated that the petitioners have solemnized their marriage on 23.06.2020. Copy of marriage certificate dated 23.06.2020 (Annexure P-3) and photographs (Annexure P-4) are on record. Apprehending danger to their lives, at the instance of private respondents, who are the relatives of the petitioners, the present petition has been instituted. The allegations are also substantiated with the affidavit of petitioner No.1.

In the instant matter, the concern of the Court is not to look into the validity of the marriage but the primary concern is to protect the lives and liberty of the petitioners in the event of any perceived threat at the instance of private respondents. The marriage of the petitioners has been solemnized on 23.06.2020. Copy of marriage certificate dated 23.06.2020 (Annexure P-3) and photographs (Annexure P-4) are on record. The petitioners are stated to be residing in District Sri Muktsar Sahib, Punjab.

The present petition is disposed of with a direction to respondent No.2 to look into the matter and if he finds that apprehension of danger to the lives and personal liberty of the petitioners is real, he shall take appropriate steps to ensure their protection as he feels necessary, in such circumstances of the case.

This order is not to be construed as any opinion with regard to the age of the petitioners or factum or validity of their marriage or any civil or criminal proceedings.

26.06.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No