

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

CRWP No.4283 of 2020
Date of Decision :30.06.2020

Kamaljit Singh and anotherPetitioners

versus

State of Punjab & Ors.Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. D.S. Nigha, Advocate for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.

2. Prayer in the Criminal Writ Petition under Article 226 of the Constitution of India is for the issuance of a writ in the nature of Mandamus for directing respondent Nos.2 and 3 to protect the life and personal liberty of the petitioners at the hands of respondent Nos.4 to 7.

3. Learned counsel contends that the petitioners seek protection of their life and liberty on account of having performed marriage on 25.06.2020, against the wishes of respondent Nos.4 to 7 and the petitioners have apprehension that respondent Nos.4 to 7 would cause physical harm to them. The petitioners have also attached marriage certificate, Annexure P/3 dated 25.06.2020.

4. Learned counsel contends that the petitioners have submitted representation, Annexure P/4 dated 25.06.2020 to respondent No.2 i.e. Commissioner of Police, Jalandhar but no decision has been taken on the same and that in the circumstances, the petitioners would be satisfied if the writ petition is disposed of by directing respondent No.2, i.e. Commissioner of Police, Jalandhar to provide protection of life and liberty to the petitioners against threat of harm by respondent Nos.4 to 7

25.06.2020 in accordance with law as expeditiously as possible.

5. Notice of motion to respondent Nos.1 to 3 only at this stage. Mr. H.S. Multani, AAG, Punjab, accepts notice and states that petitioner No.1 does not fulfill the conditions to have got married as he is less than 21 years of age. He, however, states that he has no objection to the Crl. writ petition being disposed of by directing respondent No.2 to consider and decide the representation, Annexure P/4 dated 25.06.2020 seeking protection of life and liberty to the petitioners.

6. Accordingly, without commenting upon the validity of the marriage of the petitioners, the writ petition is disposed of by directing respondent No.2 i.e. Commissioner of Police, Jalandhar to look into the representation, Annexure P/4 dated 25.06.2020, submitted by the petitioners and to take such action in accordance with law as may be warranted keeping in view the threat perception to the petitioners. However, it is made clear that this order shall not bar any civil or criminal proceedings initiated against the petitioners in accordance with law.

7. Petition disposed of in the aforementioned terms.

(B.S. Walia)
Judge

30.06.2020
'Amit-Rajesh'

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No