

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

CRWP-5628-2020 (O&M)

Date of decision : 06.08.2020

Jatinder Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Navraj Singh, Advocate for the petitioners.

Mr. Mehardeep Singh, Addl.A.G., Punjab.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

Learned counsel for the petitioners contends that the petitioners have solemnized marriage. Their marriage is opposed by respondent Nos.4 to 7, who are the family members of petitioner No.1. It is further submitted that petitioner No.1 is major, while petitioner No.2 is less than 21 years of age. Cites *Neelam Rani Vs. State of Haryana (P&H), 2011(1) R.C.R. (Civil) 636*.

Notice of motion.

At the asking of the Court, Mr. Mehardeep Singh, Addl.A.G., Punjab, accepts notice on behalf of the respondent-State.

Though, the petitioners claim to have solemnized marriage and admittedly, the bridegroom, petitioner No.2 has not attained majority for the purposes of Hindu Marriage Act, but this Court, considering the nature of

prayer made in the instant petition, would not delve into the question of validity of marriage of the petitioners.

The petitioners have invoked writ jurisdiction of this Court seeking enforcement of fundamental right to life and liberty enshrined under Article 21 of the Constitution of India. Thus, without expressing any opinion with regard to validity of marriage and on the merits of the assertions made in the petition, the instant petition is disposed of with the direction to respondent No.2-Senior Superintendent of Police, District Jalandhar (Rural), to take necessary action on the representation dated 31.07.2020 (Annexure P-5) moved by the petitioners and provide necessary protection to the petitioners in accordance with law, in case, he is satisfied that the life and liberty of the petitioners is threatened at the hands of respondent Nos.4 to 7.

Disposed of.

06.08.2020
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(JITENDRA CHAUHAN)
JUDGE

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