

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

117

**CRWP No.6443 of 2020
Date of Decision: 27.8.2020**

SIMRANJIT KAUR AND ANR **Petitioners**

Vs

STATE OF PUNJAB AND ORS **Respondents**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Ithlesh Kaushal, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

By way of filing the present petition under Article 226 of the Constitution of India, petitioners seek issuance of necessary directions for the protection of their lives and personal liberties from being violated by private respondents.

Petitioners claimed that they have solemnized marriage on 20.8.2020 according to their voluntary act, but against the wishes of their family members. At the time of filing of the present petition, age of petitioner No.1 was 21 years and age of petitioner No.2 was 19 years i.e. less than the

marriageable age of 21 years in case of male. Petitioners have relied upon some photographs/ documents in the context of validity of marriage. They have also moved a representation dated 20.8.2020 (Annexure P-4) to the Senior Superintendent of Police, Hoshiarpur-respondent No.2.

Notice of motion.

On asking of the Court, Mr. Ramdeep Partap Singh, DAG, Punjab accepts notice on behalf of respondents No.1 to 3.

At this stage without meaning anything upon the allegations and without commenting upon validity of marriage vis-a-vis majority of the petitioners, I am of the view that the petitioners be relegated to approach respondent No.2 before whom they have statedly moved a representation.

Respondent No.2 shall ascertain the truth in the allegations of the petitioners and would pass appropriate order in accordance with law. Respondent No.2 would be at liberty to assess the threat perception of the petitioners and would act in accordance with law. Respondent No.2 would also be at liberty to join the petitioners or any other person acquainted with the facts of the case. Respondent No.2 shall form an independent opinion, without being influenced by any statement of fact recorded hereinabove.

It would be appreciated, if needful in deciding the

representation is done within a period of one month from the date of receipt of certified copy of this order.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

August 27, 2020

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| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable | : | Yes/No |