

CRWP No.7715 of 2020

Date of Decision : 28.09.2020

Satinder Kaur and another

...Petitioners

Versus

State of Punjab and others

....Respondents

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

Present : Mr. Lakhwinder Singh Mann, 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 Covid-19 pandemic.

2. Prayer in the writ petition under Article 226 of the Constitution of India is for the issuance of directions to respondent Nos.2 and 3 to protect the life and liberty of the petitioners at the hands of respondent Nos. 4 to 8.

3. Learned counsel contends that date of birth of petitioner No.1 is 03.09.2002 as is evident from Annexure P-1 i.e. Matriculation Certificate while as per Aadhaar Card Annexure P-2, date of birth of petitioner No.2 is 02.02.1995, besides the petitioners fulfill all the conditions stipulated under law to entitle them to get married, and on account of mutual liking they got married on 23.09.2020 as is evident from the Marriage Certificate Annexure P-3 dated 23.09.2020 though against the wishes of respondent Nos. 4 to 8 who are threatening them with harm to their life and liberty.

4. Learned counsel contends that the petitioners have submitted representation Annexure P-4 dated 23.09.2020 to respondent No.2 i.e. Senior Superintendent of Police, Jalandhar (Rural), for redressal of their grievances but no action has been taken in respect thereto till date and that

in the circumstances, the petitioners would be satisfied if the writ petition is disposed of by directing respondent No.2 to consider and decide the representation Annexure P-4 dated 23.09.2020, in accordance with law, in a time bound manner.

4. Notice of motion to respondent No.2 only.

5. Mr. V.G. Jauhar, Sr. DAG, Punjab, accepts notice on behalf of respondent No.2 and states that he has no objection to the limited prayer made by learned counsel for the petitioners.

6. Accordingly, in view of the decision of Hon'ble the Supreme Court in **Lata Singh vs. State of UP and others, JT 2006 (6) SC, 173**, but without commenting upon the age of the petitioners, validity of their marriage or the authenticity of the documents attached with the instant petition, the criminal writ petition is disposed of by directing respondent No.2 i.e. Senior Superintendent of Police, Jalandhar (Rural), to consider and decide representation, Annexure P-4 dated 23.09.2020, submitted by the petitioners as expeditiously as possible and to take such action in respect thereto in accordance with law as may be warranted including if necessary providing protection to the life and liberty of the petitioners keeping in view the threat perception to the petitioners at the hands of respondent Nos.4 to 8. However, it is made clear that this order shall not be taken as a bar to any civil or criminal proceedings initiated against the petitioners in accordance with law.

(B.S. Walia)
Judge

September 28, 2020

'ps-Amit'

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