

CRWP-10498-2020

Date of Decision: 16.12.2020

Balwinder Singh and another

...Petitioners

Versus

State of Punjab and others

....Respondents

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

Present : Mr.Simranjit Singh, 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 Criminal Writ Petition under Article 226 of the Constitution of India is for the issuance of directions to respondent Nos.1 to 3 to protect the life and liberty of the petitioners on account of threats held out by respondent Nos.4 to 7 and their companions to cause harm to the petitioners on account of solemnization of marriage by them on 13.12.2020 against the wishes of respondent Nos.4 to 7.

3. Learned counsel contends that the petitioners fulfill all conditions stipulated under the law entitling them to get married and that petitioners are of marriageable age as is evident from their PAN Cards Annexure P-1/A and P-2/A, in which the date of birth of petitioners is recorded as 01.01.1997 and 23.10.1997 respectively. The petitioners have

also attached marriage certificate, Annexure P/3. Learned counsel contends that the petitioners have submitted representation Annexure P/4 dated 13.12.2020, to respondent No.2 i.e. Senior Superintendent of Police, Sangrur, for redressal of their grievance 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 aforementioned representation, in accordance with law, in a time bound manner.

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

5. Ms. Monika Jalota, learned DAG, Punjab, accepts notice on behalf of respondent No.2 and after perusal of the advance copy of the petition states that she 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 criminal writ petition, the criminal writ petition is **disposed of** by directing respondent No.2 i.e. Senior Superintendent of Police, Sangrur, to consider and decide representation, Annexure P/4 dated 13.12.2020, submitted by the petitioners after taking into account all aspects of the matter, as expeditiously as possible and thereafter take such action in respect thereto 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.

(B.S. Walia)
Judge

December 16, 2020
'Rajesh-PS

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>