

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

CRWP-735-2021

Date of Decision: 27.01.2021

Amandeep Singh and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Karandeep Singh Sidhu, Advocate,
for the petitioners.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through Video Conferencing.

This petition has been filed under Article 226 of the Constitution for issuance of a writ in the nature of mandamus directing respondents No.2 to 5 to protect the life and liberty of the petitioners at the hands of respondents No.6 to 10.

Learned counsel for the petitioners states that petitioner No.2, who is 17 years and 05 months old, wants to marry petitioner No.1 after attaining the marriageable age. He further submits that respondents No.6 to 10 are against their relationship and want to marry off petitioner No.2 to some other person, against her wishes.

Learned counsel for the petitioners further submits that the

petitioners are living in a constant danger as they have every apprehension that the private respondents would catch them and carry out their threats and might go to the extent of even committing their murder. The petitioners are, therefore, running from pillar to posts for protection of their life and liberty. He further submits that both the petitioners have been facing threats from the family members of petitioner No.2 and in this regard, petitioner No. 2 has also moved a representation dated 15.01.2021 (Annexure P-3) to respondent No. 2 and 3.

Notice of motion to respondents No.1 to 5-State only at this stage.

On the asking of this Court, Mr. Randhir Singh Thind, DAG, Punjab, accepts notice on behalf of respondents No.1, 2 and 4., and points out that an FIR No.16 dated 12.01.2021 has been registered against petitioner No.1 at Police Station Mandi Dabwali.

Mr. Apoorv Garg, DAG, Haryana, accepts notice on behalf of respondents No.3 and 5.

At this stage, learned counsel for the petitioner submits that the petitioner No.1 will avail of his remedy in accordance with law. He also submits that the petitioners are on a run and prays that the life and liberty of the petitioners may be protected.

I have heard the learned counsel for the parties.

Article 21 of the Constitution stipulates protection of life and liberty to every citizen and that no person shall be deprived of his life and personal liberty except according to procedure established by law.

It is the bounden duty of the State as per the Constitutional obligations cast upon it to protect the life and liberty of every citizen. Mere fact that petitioner No.2 is not of a marriageable age, would not deprive the petitioners of their fundamental right as envisaged in the Constitution, being citizens of India.

Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of the present petition with a direction to respondent No. 2-Senior Superintendent of Police, Bathinda, moved by petitioner No.2, and grant protection to the petitioners, if any threat to their life and liberty is perceived.

It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law, if any, committed by them.

27.01.2021

mangal singh

**(HARNARESH SINGH GILL)
JUDGE**

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