

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(115)

CRWP-750-2021

Date of decision: 27.01.2021

Vishal and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Dheeraj Mahajan, Advocate
for the petitioners.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Vishal son of Tilak Raj (petitioner No.1) claims to be 26 years and Rupa Kumari daughter of Gajadar Mandal (petitioner No.2) claims to be 15 years of age. Petitioner No.2 is not of marriageable age, though, she claims to be married with petitioner No.1. However, no Marriage Certificate has been attached with the petition. They have pleaded that they have married against the wishes of respondents No. 4 and 5 and seek protection to their life and liberty. They apprehend danger from respondents No. 4 and 5. They have placed on record marriage photographs, Annexure P-3, claiming that they got married on 19.01.2021. The petitioners have submitted a representation dated 19.01.2021, Annexure P-4 to Senior Superintendent of Police, Gurdaspur.

Learned counsel for the petitioners has relied upon the judgment of this Court passed by a Division Bench in **LPA No.385 of 2016 titled as Elaichi and another Vs. State of Punjab and others, decided on 16.05.2016** and a judgment of Co-ordinate Bench of this Court passed in **CWP No.17069 of 2019 titled as Kawaljeet Kaur and another Vs. State of Punjab and others, decided on 24.06.2019** to submit that even though boy was not of marriageable age, this Court had entertained their petitions for protection of their life and liberty.

Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of the petition with directions to respondent No.2 to decide the representation of the petitioners, Annexure P-4 and grant them protection, if any threat to their life and liberty is perceived.

It is clarified that this order shall not be treated as a stamp of this Court for the marriage of the petitioners.

(SUVIR SEHGAL)
JUDGE

27.01.2021
Pardeep

Whether speaking/reasoned Yes/No

Whether reportable Yes/No