

Sunita Rani and another

...Petitioners

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Vishal Goel, Advocate for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the Criminal Writ Petition under Article 226 of the Constitution of India is for the issuance of a writ in the nature of Mandamus for directing respondent Nos.2 & 3 to protect the life and personal liberty of the petitioners at the hands of respondent Nos.4 to 8 and to restrain them from harassing and interfering in the matrimonial life of the petitioners.

3. Learned counsel contends that the petitioners fulfill all the conditions stipulated under law so as to entitle them to get married, are major as petitioner No.1 is 27 years of age as is evident from her Driving License Annexure P/1, wherein date of her birth is recorded as 25.05.1993, while petitioner No.2 is 29 years of age as per his Driving License Annexure P/2 wherein his date of birth is recorded as 13.09.1992. Learned counsel contends that due to mutual liking for each other, the petitioners got married as per Hindu rites and ceremonies on 19.04.2021 as is evident from

the marriage certificate, Annexure P/3 dated 19.04.2021, without any force,

fraud, pressure, coercion or undue influence though against the wishes of respondent Nos.4 to 8 who are threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/5 dated 19.04.2021 to respondent No.2 i.e. Senior Superintendent of Police, Patiala, Punjab, seeking protection of their life and liberty but no action has been taken in respect thereto till date and that in the circumstances, the petitioners would be satisfied if the petition is disposed of by directing respondent No.2 to consider and decide representation Annexure P/5 in accordance with law, in a time bound manner and to provide them protection.

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

5. Mr. Hittan Nehra, Addl. A.G., Punjab, who is present in Court, 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 petition, the petition is disposed of by directing respondent No.2 i.e. Senior Superintendent of Police, Patiala, Punjab to consider and decide representation, Annexure P/5 dated 19.04.2021, submitted by the petitioners in accordance with law as expeditiously as possible and take such action in respect thereto 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

27.04.2021
rajender

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No