

[117] IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRWP No.4156 of 2021  
Date of Decision : 11.05.2021

Samandeep Midha and another ...Petitioners

Versus

State of Punjab & Ors. ....Respondents

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

Present : Ms. Monu Khan, Advocate for the petitioners.

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**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, not to harass the petitioners and their family members and relatives at the instance of respondent Nos.4 to 10 as also to restrain them from interfering in the matrimonial life of the petitioners etc.
3. Learned counsel contends that the petitioners are Hindus and fulfill all the conditions stipulated under law so as to entitle them to get married, petitioners are major as petitioner No.1 is 29 years of age as is evident from her Aadhar Card Annexure P/1, wherein her date of birth is recorded as 14.01.1992, while petitioner No.2 is 28½ years of age as per his Aadhar Card Annexure P/2 according to which his date of birth is 09.09.1992. Learned counsel contends that due to mutual liking for each other, the petitioners got married as per

Hindu rites and ceremonies on 15.10.2020 as is evident from the marriage certificate, Annexure P/3 dated 15.10.2020, besides marriage photographs, Annexure P/4 without any fraud, force, pressure, coercion or undue influence though against the wishes of respondent Nos.4 to 10 who are threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/5 dated 27.04.2021 to respondent No.2 i.e. Senior Superintendent of Police, Mansa, 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 protection to them.

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

5. Mr. Sukhbeer Singh, AAG, Punjab, who is present, 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, Mansa, Punjab to consider and decide representation, Annexure P/5 dated 27.04.2021, 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

accordance with law.

11.05.2021

(B.S. Walia)  
Judge

'Rajneesh/Amit'

Whether speaking/ reasoned

:

Yes/No

Whether reportable

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Yes/No