

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.108

CRWP No.4322 of 2021

Date of Decision: 13th May, 2021.

Karanjeet Kaur & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Yashpal Thakur, Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

Both the petitioners have preferred this petition for seeking the relief of the issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect their life and liberty as they apprehend threat to the same at the hands of respondents No.4 to 7 because they (petitioners) have solemnized their marriage against the wishes of these respondents. It has also been mentioned in this petition that the petitioners have already moved a representation (Annexure P-5) to respondents No.2 and 3 in this regard.

Notice of motion to respondents No.1 to 3 only.

Ms. Samina Dhir, Deputy Advocate General, Punjab, who has joined the proceedings on behalf of respondents No.1 to 3 in this case

in pursuance of the copies of this petition having been sent to the respondent-State in advance, accepts the notice on behalf of these respondents.

Heard.

Learned counsel for the petitioners restricts his prayer to issuance of a direction to respondent No.2 to take appropriate action on the said representation of the petitioners, i.e Annexure P-5.

Learned counsel for the State has no objection for the same.

It is worthwhile to mention here that as per the copy of the Aadhar Card of petitioner No.2-Pardeep Singh, his date of birth is 08.08.2000, meaning thereby that he hasn't yet attained the prescribed age for marriage.

However, keeping in view the intent of the fundamental right enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens and without expressing any opinion on the legality and validity of the marriage, as stated to have been solemnized between the petitioners, respondent No.2-Senior Superintendent of Police, District Fatehgarh Sahib, is hereby directed to look into the said representation of the petitioners (Annexure P-5) and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law. It is further clarified that this order shall not be construed to be a shield to the petitioners against any proceedings already initiated or intended to be initiated by the competent authority/person on account of their afore-said marriage and

permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

13.05.2021.
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Whether speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No