

(121) IN THE PUNJAB AND HARYANA HIGH COURT AT  
CHANDIGARH

CRWP No.4465 of 2021  
Date of Decision: 17.05.2021

Kuldeep Kaur and another ...Petitioners  
Versus  
State of Punjab and others ...Respondents

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

Present: Mr. Lajpat Rai Sharma, 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 give police protection to the petitioners and to issue directions to respondent Nos.4 to 9 not to interfere in the liberty and married life of the petitioners in any manner.

3. Learned counsel contends that the petitioners are Hindus and fulfill all the conditions stipulated under the Hindu Marriage Act, 1955 so as to entitle them to get married, petitioners are major as petitioner No.1 is 24 years of age as is evident from her Aadhar Card (Annexure P/1), wherein her date of birth is recorded as 01.01.1997, while petitioner No.2 is more than 23 years of age as is evident from his Aadhar Card (Annexure P/2) wherein his date of birth is recorded as 01.12.1997. Learned counsel contends that due to mutual liking for each other, the petitioners got married on 04.05.2021 as is evident from the marriage certificate (Annexure P/3) and photographs (Annexure P/4), without any force, fraud, pressure, coercion or undue influence though against the wishes

of respondent Nos.4 to 9 who are threatening them with harm to their life and

liberty, therefore, the petitioners submitted representation Annexure P/5 dated 04.05.2021 to respondent No.2 i.e. Senior Superintendent of Police, Mansa, 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, learned 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, to consider and decide representation, Annexure P/5 dated 04.05.2021, 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**

**17.05.2021**  
*Rajneesh/Amit*

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