

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

CRWP No.4577 of 2021
Date of Decision: 19.05.2021

Priyanka and another ...Petitioners

Versus

State of Punjab and others ...Respondents

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

Present: Mr. Lupil Gupta, Advocate for
Mr. Kanav Bansal, Advocate for the petitioners.

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 by providing them adequate security/police protection and also for directing respondent Nos.4 to 7 not to interfere in the personal life and liberty of the petitioners and further directing respondent Nos.2 and 3 not to allow respondent Nos.4 to 7 or anybody else to interfere with the liberty and life of the petitioners or to harass them in any manner.

3. Learned counsel contends that the petitioners 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 27 years of age as is evident from her Aadhar Card (Annexure P/1), in which her year of

evident from his Aadhar Card(Annexure P/2), in which his year of birth is recorded as 1990. Learned counsel contends that due to mutual liking for each other, and without any fraud, force, pressure, coercion or undue influence, the petitioners got married on 16.05.2021 as per Sikh Rites and Rituals as is evident from marriage certificate (Annexure P/3) dated 16.05.2021 though against the wishes of respondent Nos.4 to 7 who are threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/4 dated 16.05.2021 to respondent No.2 i.e. Senior Superintendent of Police, Police Station Khanna, District Ludhiana, 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 the representation Annexure P/4 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** and 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, Police Station Khanna, District Ludhiana, to consider and decide representation, Annexure P/4 dated 16.05.2021,

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

19.05.2021
Rajneesh/Amit

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