

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr.No.105

**CRWP No.4623 of 2021
Date of Decision: 20.05.2021**

Tarnum and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. Maneet Kumar Arya, Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

Both the petitioners have joined hands to prefer this petition for seeking the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to protect their life and liberty as they apprehend threat to the same at the hands of respondents No.4 to 6 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-4) to respondents No.2 and 3 in this regard.

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

Ms. Rashmi Attri, Assistant Advocate General, Punjab, who has joined the proceedings on behalf of respondents No.1 to 3 in this

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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 the issuance of a direction to respondent No.2 to take appropriate action on the said representation, i.e. Annexure P-4.

Learned State counsel has no objection for the same.

It is pertinent to mention here that though petitioner No.1 has made depositions in her affidavit (Annexure P-1) regarding her date of birth being 01.02.2003 but she has not placed any other document on the file in corroboration of her afore-discussed depositions.

However, keeping in view the intent of the fundamental right as 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, Gurdaspur, is hereby directed to look into the afore-said representation of the petitioners, i.e. Annexure P-4 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

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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.

20.05.2021
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No