

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

CRWP No.5106 of 2021

Date of Decision:-4th June, 2021.

Sandeep Singh and another

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

(Heard through Video-Conferencing)

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

Present:- Mr. Nirmal Singh, Advocate
 for the petitioners.

MEENAKSHI I. MEHTA, J.(Oral)

Both the petitioners have joined hands to prefer 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 and 5 because they (petitioners) have solemnized their marriage on 31.05.2021 against the wishes of these respondents. It has also been mentioned in this petition that the petitioners have already moved a representation, i.e. Annexure P-5 to respondent No.2 in this regard.

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

Ms. Rashmi Attri, learned Assistant 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.

Mr. Anil Kumar Spehia, Advocate has also joined the proceedings on behalf of respondent No.4 and has sent his power of attorney through *e-mail* and the same has been taken on the record.

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-5.

Learned State counsel as well as learned counsel for respondent No.4 have no objection for the same.

It is pertinent to mention here that as per Annexure P-1, i.e. the copy of Aadhar Card of petitioner No.1 Sandeep Singh, the date of his birth is 06.06.2000 meaning thereby that he had not attained the prescribed age at the time of the said 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 commenting or 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, Patiala, 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/contemplated 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.

June 04, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Note:	<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
	<i>Whether Reportable:</i>	<i>Yes/No</i>