

[127] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.5270 of 2021
Date of decision: 10.06.2021

Anjali and another ...Petitioners
Versus
State of Punjab & Ors.Respondents

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

Present : Mr. Sidakjit Singh Bajaj, 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 liberty of the petitioners at the hands of respondent No.4 and her relatives as they have performed inter-caste marriage against the wishes of respondent No.4.
3. Learned counsel contends that the petitioners fulfill all the conditions stipulated under law so as to entitle them to get married, petitioners are major as petitioner No.1 is about 19 years of age as is evident from Aadhar Card Annexure P/1, wherein her date of birth is recorded as 01.08.2002, while petitioner No.2 is 29 years of age as per Aadhar Card Annexure P/2 in which his year of birth is recorded as 1991. Learned counsel contends that due to mutual liking for each other, the petitioners got married as per Hindu rites and ceremonies on

04.06.2021 as is evident from marriage certificate, Annexure P/3 dated 04.06.2021 without any fraud, force, pressure, coercion or undue influence though against the wishes of respondent No.4 who is threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/4 dated 07.06.2021 to respondent Nos.2 & 3 i.e. The Commissioner of Police, Police Commissionerate, Jalandhar and SHO, Police Station Division No.6, Jalandhar 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/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. Ms. Samina Dhir, learned DAG, Punjab, who is present, accepts notice on behalf of respondent No.2 and states that she 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. The Commissioner of Police, Police Commissionerate, Jalandhar to consider and decide representation, Annexure P/4 dated 07.06.2021, 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

10.06.2021
'Rajneesh/Amit'

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