IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr.No.117

CRWP No.5849 of 2021
Date of Decision: 28th June, 2021.

Prerna Arora & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. Gourav Goel Advocate,
for the petitioners.

* * * *

MEENAKSHI I. MEHTA, J. (ORAL)

Both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 8 because they (petitioners) have solemnized their marriage against the wishes of these respondents. It has also been mentioned in this petition that a representation (Annexure P-6) has already been moved to respondent No.2 in this regard.

Ms. Samina Dhir, Deputy Advocate General, Punjab, has joined the proceedings on behalf of respondents No.1 to 3 in this case

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in pursuance of the copies of this petition having been sent to the respondent-State in advance.

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-6.

It is worthwhile to mention here that as per the copy of the Aadhar Card of petitioner No.2-Vikas Kumar, i.e Annexure P-2, his date of birth is 27.08.2000, meaning thereby that he hasn't yet attained the prescribed age for 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 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, District Fatehgarh Sahib, is hereby directed to look into the said representation of the petitioners (Annexure P-6) 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

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permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

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Whether speaking/reasoned?	*Yes/No*
Whether Reportable?	*Yes/No*

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