

CRWP No.5953 of 2021
Date of Decision : 01.07.2021

Versus

State of Punjab and others ... Respondents

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

Present : Mr. Paras Jhamb, 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, order or direction especially in the nature of Mandamus for directing respondent Nos.1 to 3 to provide protection of life, liberty and dignity of the petitioners and family members of petitioner No.2 at the hands of respondent Nos.4 to 8 on account of the petitioners having married against the wishes of the said respondents.

3. Learned counsel contends that the petitioners fulfill all the conditions stipulated under law to entitle them to get married. Petitioners are major as petitioner No.1 is close to 23 years of age as is evident from her

Aadhar Card (Annexure P/1) as also from Matriculation Certificate

(Annexure P/2) in which her date of birth is recorded as 24.08.1998, while petitioner No.2 is 21 years of age as is evident from his Aadhar Card, (Annexure P/3) wherein his date of birth is recorded as 11.05.2000. Learned counsel contends that due to mutual liking for each other, the petitioners got married on 25.06.2021 as is evident from Marriage Certificate (Annexure P/4) without any force, fraud, pressure, coercion or undue influence though against the wishes of respondent Nos.4 to 8 who are threatening them with harm to their life and liberty, therefore, the petitioners submitted representation dated 25.06.2021 Annexure P/5 to respondent No.2 i.e. Senior Superintendent of Police, Amritsar Rural, Amritsar, 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 dated 25.06.2021 i.e. Annexure P/5 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, AAG, Punjab who is present in Court, accepts notice on behalf of respondent No.2 and states that though he has no objection to the limited prayer made by learned counsel for the petitioners, but representation dated 25.06.2021 (Annexure P/5) was submitted to respondent No.2 through courier (Annexure P/6) from Chandigarh on 28.06.2021.

6. Be that as it may, without commenting upon the hot-haste

shown by the petitioners in invoking the jurisdiction of this Court and by taking into account the apprehension of harm to the petitioners and family members of petitioner No.2 at the hands of respondent Nos.4 to 8 as also 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. Senior Superintendent of Police, Amritsar Rural, Amritsar, to consider and decide representation, Annexure P/5 dated 25.06.2021, submitted by the petitioners in accordance with law expeditiously and take such action in respect thereto as may be warranted keeping in view the threat perception to the petitioners and family members of petitioner No.2. 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

01.07.2021
'Rajneesh/Amit'

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