

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.114

CRWP No.6310 of 2021

Date of Decision: 09th July, 2021.

Meena & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. I. S.Dhaliwal Advocate,
for the petitioners.

* * * *

MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, the petitioners seek 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 lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 10 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-4) has already been moved to respondent No.2 in this regard.

Mr. Sidakmeet Singh Sandhu, learned Assistant Advocate General, Punjab, 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.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and to take appropriate action on the said representation of petitioner No.1, i.e Annexure P-4.

Learned counsel for the State has no objection for the same.

However, it is pertinent to mention here that as per the copy of the Aadhar Card (Annexure P-1) of petitioner No.1-Meena, her date of birth is 20.06.2004 meaning thereby that she has not yet attained the age of 18 years.

On being posed a query by this Court, learned counsel for the petitioners has sent the details of the criminal case registered against petitioner No.2-Amandeep Ram, on the “*WhatsApp Group for Video-Conferencing*” of this Court which has been placed on the file and a perusal thereof shows that an FIR bearing No.204 dated 05.07.2021 has been registered at Police Station Sadar Fatehabad under Sections 363 and 366-A IPC.

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 also the factum of the registration of the said FIR and without commenting or expressing any opinion on the validity and legality of the marriage as

stated to have been solemnized between the petitioners, respondent No.2-Superintendent of Police, Sri Muktsar Sahib, is hereby directed to look into the said representation of petitioner No.1 (Annexure P-4) only to the extent of the threat perception of the petitioners qua their lives and if it is found that the petitioners genuinely deserve the protection of their lives, then to take appropriate action in accordance with law.

It is further clarified that this order shall not amount to be a hindrance to/in the investigation of the afore-mentioned criminal case arising out of the said FIR and shall also not be construed to be a shield to the petitioners against any other action already initiated or intended/contemplated to be initiated against them by any competent authority/person on account of the afore-discussed facts and circumstances and permissible under the relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

09.07.2021.
seema

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