

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

Sr.No.117

**CRWP No.6415 of 2021 (O&M)
Date of Decision: 13.07.2021**

Hardeep Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(Heard through Video-Conferencing)

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

Present: Ms. Manisha Nehra, Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of this petition, 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 and 5 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.

Ms. Samina Dhir, learned Deputy 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

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the respondent-State in advance.

Heard.

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

Learned State counsel has no objection for the same.

It is pertinent to mention here that as per the Aadhar Card of petitioner No.2-Amar Singh, his date of birth is 23.07.2000 meaning thereby that he has not yet attained the age of 21 years as prescribed for the marriage.

Be that as it may, keeping in view the intent of the fundamental right as 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-Commissioner of Police, Ludhiana, is hereby directed to look into the afore-said representation of petitioner No.1, i.e. Annexure P-4 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 to be initiated by the competent authority/person on account of their afore-said marriage and permissible under any relevant provisions

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of law.

This petition stands disposed of accordingly.

13.07.2021
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(MEENAKSHI I. MEHTA)
JUDGE

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