

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-6459-2021(O&M)
Date of Decision: 13.07.2021

Suniti and another

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sukhwinder Singh Kainth, Advocate, for the petitioners.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India with a prayer for issuance of a writ in the nature of Mandamus praying for issuance of directions to respondent Nos.1 to 3 to protect the life and liberty of the petitioners and not to interfere in the married life at the instance of respondent Nos.4 to 6 and other relatives and friends.

The learned counsel for the petitioners has submitted that petitioner No.1-girl is 19 about years and is therefore of marriageable age, whereas, the petitioner No.2-boy is of 20 years and has not attained the age of marriage. However, they got married with each other on 09.07.2021. The photographs of marriage are also attached along with the petition. However, the Marriage Certificate has not been attached. He submitted that since the parents of the petitioners are opposed to the marriage, the respondent Nos. 4 to 6 and other relatives and friends started threatening the petitioners of legal consequences and they have even threatened that they will kill them by tracing

them and also implicate them in false cases. The learned counsel submitted

that both the petitioners are having imminent threat from the respondents and has prayed for the protection of their life.

Notice of motion to respondent Nos. 1 to 3 only.

Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab accepts notice on behalf of the aforesaid respondents.

A perusal of Annexure P-6 would show that it is a representation given to the SSP (Rural), Jalandhar on 09.07.2021 by way of courier and receipt of the same is attached as Annexure P-7. Since it is a case pertaining to protection of life, this Court deems it necessary to issue direction in this regard.

It is directed that respondent No.2 shall look into the representation of the petitioners Annexure P-6 and in case there is a threat to the petitioners, then he shall ensure the protection of life of the petitioners if so required and in accordance with law.

It is however made clear that the scope of the directions issued in this case are pertaining only to secure the protection of life of the petitioners but it does not in any way reflect anything on the validity of marriage *inter se* between the petitioners. Furthermore, these directions would not preclude the police to take action against the petitioners if otherwise so warranted in accordance with law and particularly under the provisions under the Child Marriage restraint Act.

Disposed of accordingly.

13.07.2021

rakesh

Whether speaking

Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No

: Yes/No