

CRWP No.6760 of 2021
Date of Decision : 22.07.2021

Gagandeep Kaur and another

...Petitioners

Versus

State of Punjab and Others

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Ms. Jasneet Mehra, Advocate for the petitioners.
Mr. Harbir Sandhu, AAG, Punjab.

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 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. 2 & 3 not to harass or interfere in the peaceful married life of the petitioners at the hands of respondent Nos. 4 to 9 etc.
3. Learned counsel contends that petitioner No.1 is 19 years of age as is evident from her Aadhar Card (Annexure P/1), wherein her year of birth is recorded as 2002, while petitioner No.2 is 21 years of age as is evident from his Aadhar Card (Annexure P/2) wherein his date of birth is recorded as 12.03.2000. Learned counsel contends that due to mutual liking for each other, the petitioners got married on 19.07.2021 as is evident from the marriage certificate (Annexure P/3) dated 19.07.2021 without any

fraud, force, pressure, coercion or undue influence though against the wishes of respondent Nos.4 to 9 who are threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/4 dated 19.07.2021 to respondent No.2 i.e. Senior Superintendent of Police, Bathinda, 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 Annexure P/4 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. Harbir Sandhu, learned AAG, Punjab who is present accepts notice on behalf of respondent No.2 and states that he has no objection to the limited prayer made by learned counsel for the petitioners, though petitioner No.2 is not of marriageable age.

6. I have considered the submissions of learned counsel and in the light of decision of Hon'ble the Supreme Court in **Lata Singh vs. State of UP and others, JT 2006 (6) SC, 173** am of the view that the petition is liable to be disposed of without commenting upon the age of the petitioners, validity of their marriage or the authenticity of the documents attached with the petition, by directing respondent No.2 i.e. Senior Superintendent of Police, Bathinda, to consider and decide representation, Annexure P/4 dated 19.07.2021, submitted by the petitioners in accordance with law as expeditiously as possible and take such action in respect thereto as may be warranted keeping in view the threat perception to the petitioners.

However, itis made clear that this order shall not bar any civil or criminal proceedingsinitiated against the petitioners in accordance with law.

(B.S. Walia)
Judge

22.07.2021
'Amit'

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