

CRWP No.7117 of 2021

Date of decision: 30.07.2021

Nirmla Rani and another

...Petitioners

Versus

State of Punjab and others

....Respondents

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

Present : Ms. Kusum Raj, 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 direction to official respondents Nos. 1 to 3 to protect of life and liberty of the petitioners and not to interfere in the peaceful married life of the petitioners at the hands of respondent Nos.4 to 7, i.e. family members of petitioner No.1.

3. Learned counsel contends that the petitioners are of marriageable age as per law as petitioner No.1 is more than 18 years of age as is evident from Aadhar Card Annexure P/1, wherein her date of birth is recorded as 02.02.2003, while petitioner No.2 is more than 21 years of age as per Aadhar Card Annexure P/2 in which his date of birth is recorded as 01.01.2000. Learned counsel contends that the petitioners got married on 27.07.2021 as is evident from marriage certificate, Annexure P/3 dated 27.07.2021, besides, photographs of marriage (Annexure P/4) due to mutual

liking for each other, without any fraud, force, pressure, coercion or undue influence though against the wishes of respondent Nos.4 to 7 (family members of petitioner No.1) who are threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/5 dated 27.07.2021 to respondent No.2 i.e. The Senior Superintendent of Police, Ferozepur, 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 representation 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, learned AAG, Punjab, accepts notice on behalf of respondent No.2 and on perusal of the petition states that he has no objection to the limited prayer made by learned counsel for the petitioners.

6. Accordingly, 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. The Senior Superintendent of Police, Ferozepur, to consider and decide representation, Annexure P/5 dated 27.07.2021, 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, 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

30.07.2021
'Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>