

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

Sr.No.117

CRWP No.8176 of 2021 (O&M)

Date of Decision: 27.08.2021

Sikanderdeep Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. Deepak Arora, Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant 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 to 4 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.5 to 11 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 4 in this case in pursuance of the copies of this petition having been sent to the respondent-State in advance.

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Heard.

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

Learned State counsel has no objection for the same.

It is pertinent to mention here that though, in para No.11 of the petition, the petitioners have made specific averments regarding their having solemnized the marriage on 24.08.2021 but however, the marriage certificate has not been placed on the record by them and moreover, as per the copy of the Aadhar Card (Annexure P-1) of petitioner No.1-Sikanderdeep Singh, his date of birth is 28.02.2001 meaning thereby that he has not yet attained the prescribed marriageable age, i.e. 21 years.

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 the above-discussed limited prayer as made by learned counsel for the petitioners 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-Senior Superintendent of Police, Police District Batala, is hereby directed to look into the afore-said representation of the petitioners (Annexure P-4) and if it is found that the petitioners genuinely deserve any protection, then to take

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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/contemplated to be initiated by the competent authority/person against them on account of their afore-said marriage and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

27.08.2021
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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>