

186 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-8381-2021

Date of decision: 03.09.2021

Jasvir Kaur and another Petitioners

Versus

State of Punjab and Ors. Respondents

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

Present : Mr. Ranjeet Singh, 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 respondent Nos. 1 to 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.4 to 9 who are threatening them with harm to their life and liberty.

3. Learned counsel contends that the petitioners are of marriageable age as per law as petitioner No.1 is 25 years of age as is evident from Aadhar Card Annexure P/1, wherein her date of birth is recorded as 09.05.1996, while petitioner No.2 is 31 years of age as per Aadhar Card Annexure P/2 in which his date of birth is recorded as 06.11.1989. Learned counsel contends that the petitioners got married on 01.09.2021 as is evident from marriage certificate, Annexure P/3 dated 01.09.2021, due to mutual liking for each other, without any fraud, force,

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 01.09.2021 to respondent Nos.2 & 3 i.e. The Senior Superintendent of Police, Hoshiarpur, Punjab and SHO, Police Station Garshankar, District Hoshiarpur, Punjab, as also sent email to respondent No.2 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/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. Sarabjit Singh Cheema, 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, Hoshiarpur, Punjab to consider and decide representation, Annexure P/4 dated 01.09.2021, 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

civil or criminal proceedings initiated against the petitioners in accordance with law.

03.09.2021
'Rajneesh/Amit'

(B.S. Walia)
Judge

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