

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

Sr.No.110

CRWP No. 8697 of 2021

Date of Decision: 14.09.2021

Shruti and another

...Petitioners

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Suresh Kumar Arya, 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 and 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 and 5 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-5) has already been moved to respondent No.2 in this regard.

Mr. Bhupender Beniwal, learned Assistant Advocate General, Punjab, has appeared on behalf of respondents No.1 to 3 in this case in pursuance of the copies of this petition having been sent to the respondent-State in advance.

Heard.

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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-5.

Learned State counsel has no objection for the same.

It is worthwhile to mention here that as per the copy of the Aadhar Card (Annexure P-3) of petitioner No.2-Raghav Bhardwaj, his date of birth is 28.07.2001 meaning thereby that he has not yet attained the prescribed marriageable age, i.e. 21 years and moreover, the marriage certificate has also not been placed on the file.

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 as well as 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-Commissioner of Police, District Amritsar, is hereby directed to look into the said representation (Annexure P-5) of the petitioners and if it is found that the petitioners genuinely deserve any such protection, then to take 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 action/proceedings already initiated or intended/contemplated to be initiated against them by the

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competent authority/person on account of their said marriage and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

14.09.2021
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(MEENAKSHI I. MEHTA)
JUDGE

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