

CRWP-8762-2021 (O&M)

THROUGH VIDEO CONFERENCE

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

**CRWP-8762-2021 (O&M).
Decided on: September 15, 2021.**

Priya and another

.. Petitioners

VERSUS

State of Punjab and others

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Gautam Kaile, Advocate,
 for the petitioners.**

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Articles 226/227 of the Constitution of India with a prayer for issuance of a writ especially in the nature of mandamus for protection of life and liberty of the petitioners as there is imminent threat from the private respondents.

Learned counsel for the petitioners has submitted that the petitioners have married each other and the photographs are attached as Annexure P-3. He has submitted that petitioner No.1 (girl) is 18 years of age and an affidavit in support of the same has been attached as Annexure P-1

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since she could not get her certificates which are lying at the home of petitioner No.1. He has further submitted that petitioner No.2 is boy of the age of 20 years but he has yet not attained the marriageable age but the marriage has now been solemnised and the same is being opposed by the private respondents who are the family members of petitioner No.1 – girl. He has further submitted that a representation dated 7.9.2021, was given to the Senior Superintendent of Police, District Faridkot, Punjab, vide Annexure P-4 and a courier receipt of the same has also been attached with the paper book but no action has taken on the same and therefore, the present petition has been filed.

Notice of motion to respondent Nos.1 to 3 only.

Mr.Randhir Singh Thind, DAG, Punjab, accepts notice on behalf of aforesaid respondents and states that he has no objection in case the representation of the petitioners is directed to be taken into consideration in accordance with law.

I have heard the learned counsel for the parties.

The age of petitioner No.2 – boy is less than 21 years and he has not attained the marriageable age as yet. The scope of the present petition is confined only to the protection of life of the petitioners because according to the learned counsel for the petitioners, they are facing imminent threat at the hands of private respondents.

In view of above, this petition is disposed of with direction to respondent No.2 – Senior Superintendent of Police, Faridkot, District Faridkot, to consider representation dated 7.9.2021 (Annexure P-4)

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filed by the petitioners and to take further necessary action, if so required, for ensuring the protection of life of the petitioners in accordance with law.

It is made clear that the scope of the present petition is confined only to the extent of protection of life of the petitioners and does not reflect anything on the validity of the marriage between the petitioners inter se. It is further made clear that this order will not create any impediment for the police authorities to take any action against the petitioners with regard to the violation of the provisions of the Prohibition of Child Marriage Act, or any other law for the time being in force strictly in accordance with law.

September 15, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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