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

CRWP-8774-2021

Date of decision : 15.09.2021

Harjit Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Manjinder Singh Saini, Advocate for the petitioners.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing respondent Nos.2 and 3 to protect the life and liberty of the petitioners.

It is the case of the petitioners that they both are major inasmuch as petitioner No.1 was born on 17.12.1990 as is apparent from his Matriculation Certificate and Aadhaar Card (Annexures P-1 and P-2) and petitioner No.2 was born on 20.04.1980 as is apparent from her School Certificate and Aadhaar Card (Annexures P-3 and P-4), and have married each other on 10.09.2021, with their free consent and without any pressure. Reliance has been placed upon the Marriage Certificate (Annexure P-6) and Photographs (Annexure P-7). It is also stated by the learned counsel for the

petitioners that a detailed representation dated 11.09.2021 (Annexure P-8) has also been given to respondent No.2 with regard to the same.

Learned counsel for the petitioner has further submitted that although petitioner No.2 was earlier married to one Sangam Kumar Saha but however, she has been granted divorce prior to the present marriage.

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

On advance notice, Mr. Saurav Khurana, DAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 3 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Senior Superintendent of Police, looks into the representation dated 11.09.2021 (Annexure P-8) and takes appropriate action in accordance with law.

After considering the abovesaid facts and without commenting upon the legality of the marriage and expressing any opinion on merits of the case, the present Criminal Writ Petition is disposed of with direction to respondent No.2 to look into the representation dated 11.09.2021 (Annexure P-8) and after considering the threat perception to the petitioners, respondent No.2 will take appropriate action in accordance with law.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any other case.

15.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No