

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

CRWP-9171-2021

Date of decision : 23.09.2021

Shiwani and another

... Petitioners

Versus

Union Territory Chandigarh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Naveen Kumar, 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 & 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 02.07.1996 as is apparent from her Aadhaar Card (Annexure P-1) and petitioner No.2 was born on 18.06.1998 as is apparent from his Aadhar card (Annexure P-2) and have married each other on 20.09.2021, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon the Marriage Certificate (Annexure P-3) and Photographs (Annexure P-4). It is also stated by the learned counsel for the petitioners that a detailed representation dated 21.09.2021 (Annexure P-5) has also been given to the Senior Superintendent of Police, U.T. Chandigarh and Station House Officer,

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

On advance notice, Mr. Deepinder Brar, Addl. PP for U.T. Chandigarh, appears and accepts notice on behalf of respondents 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 21.09.2021 (Annexure P-5) 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 21.09.2021 (Annexure P-5) 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.

(VIKAS BAHL)
JUDGE

September 23, 2021

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No