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

CRWP-10128-2021 (O&M)
Date of decision : 25.10.2021

Gobind Kumar and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. L.S. Lakhanpal, Advocate for the petitioners.

Mr. A.K. Kaundal, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing respondent Nos.1 to 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 02.10.1998 as is apparent from his Aadhaar Card (Annexure P-1) and petitioner No.2 was born on 05.01.1999 as is apparent from her affidavit dated 14.10.2021 (Annexure P-2) in which it has been stated that petitioner No.2 was born on 05.01.1999 and all the age and address proof of petitioner No.2 are in the custody of her parents and relatives. Both the petitioners have married each other on 14.10.2021, 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). It is also stated by the learned counsel for the petitioners that a detailed representation dated 14.10.2021 (Annexure P-4) has also been given to respondent No.2 with regard to the same.

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

On advance notice, Mr. A.K. Kaundal, 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 14.10.2021 (Annexure P-4) 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 14.10.2021 (Annexure P-4) 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.

25.10.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No