

(110) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-10168-2021

Date of Decision: 27.10.2021

Kamalpreet Kaur and another

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present : Mr. Inder Pal Singh, Advocate
for the petitioners.

VIKAS BAHL, J. (Oral)

Case is taken up for hearing through video conferencing.

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 personal liberty of the petitioners.

Learned counsel for the petitioners has submitted that on the date when the present petition was filed, the petitioners were major and were "Live-in-Relationship". It has further been submitted that the petitioners have now performed the marriage on 19.10.2021 and marriage certificate in this regard has been produced and the same is taken on record. It is the case of the petitioners that they both are major, inasmuch as petitioner No.1 was born on 14.09.2003 and petitioner No.2 was born in the year 1995 and have married each other on 19.10.2021 with their free consent and without any pressure. Reliance has been placed upon Aadhaar Cards (Annexures P-1 and P-2). It is also stated by the learned counsel for the petitioners that a detailed representation dated 19.10.2021 (Annexure P-3) 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. N.K. Banka, D.A.G. Punjab, appears

and accepts notice on behalf of respondent Nos.1 to 3.

After considering the above-said 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 a direction to respondent No.2 to look into the representation dated 19.10.2021 (Annexure P-3) 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 case.

Accordingly, the present Criminal Writ petition stands disposed of in the above-said terms.

(VIKAS BAHL)
JUDGE

27.10.2021
rajeev

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No