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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-10492-2021

Date of Decision: 3.11.2021

Pardeep Kumar and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sandeep Arora, Advocate,
for the petitioners.

Mr. N.K. Banka, DAG, Punjab.

(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 No.2 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 15.3.1987 as is apparent from Aadhaar Card (Annexure P-3) and petitioner No.2 was born on 31.8.1992 as is apparent from Aadhar Card (Annexure P-4) and have married each other on 21.4.2021, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon photographs and marriage

Certificate (Annexure P-5 and P-6). It is also stated by learned counsel for the petitioners that a detailed representation dated 30.10.2021 (Annexure P-7) 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, 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- Commissioner of Police, Jalandhar, looks into the representation dated 30.10.2021 (Annexure P-7) 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 30.10.2021 (Annexure P-7) 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

03.11.2021
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Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No