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

CRWP-10868-2021

Date of decision : 17.11.2021

Jagroop Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Gurpreet Kaur, Advocate for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

The present Criminal Writ Petition has been filed under Articles 226/227 of the Constitution of India for directing respondent Nos.2 to 4 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 20.04.1988 and petitioner No.2 was born on 30.08.2003, and have married each other on 12.11.2021, with their free consent and without any pressure and that this is the second marriage of petitioner No.1 and first marriage of petitioner No.2. Reliance has been placed upon Aadhaar Cards (Annexures P-1 and P-2), the Marriage Certificate (Annexure P-4) and Photographs (Annexure P-5). It is also stated

by the learned counsel for the petitioners that a detailed representation dated 13.11.2021 (Annexure P-6) has also been given to respondent No.2 with regard to the same. He has further submitted that petitioner No.1 was earlier married to one Ritu Dharampal Sharma who had died on 15.08.2020 due to COVID-19 i.e. prior to the present marriage, and with respect to the same, he has referred to the Death Certificate dated 29.8.2020 (Annexure P-3).

Notice of motion to respondent Nos.1 to 4 only.

On advance notice, Mr. Karanbir Singh, AAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 4 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2, looks into the representation dated 13.11.2021 (Annexure P-6) 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 13.11.2021 (Annexure P-6) 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.

17.11.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No