

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

CRWP-11461-2021

Date of decision : 06.12.2021

Kailash Kaur and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Saurabh Singla, Advocate
for the petitioners.

Mr. Sarabjit S. Cheema, 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 the official respondents 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 14.02.2001 as is apparent from her Aadhaar Card (Annexure P-1) and petitioner no.2 was born on 07.07.1992 as is apparent from his Aadhaar Card (Annexure P-2), and have married each other on 01.12.2021, 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 01.12.2021 (Annexure P-5) 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. Sarabjit S. Cheema, AAG, 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, District Jalandhar, looks into the representation dated 01.12.2021 (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-Commissioner of Police, District Jalandhar, to look into the representation dated 01.12.2021 (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

December 06, 2021.

Davinder Kumar

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No