

CRWP-12275-2021

Date of Decision : 29.12.2021

Sarabjeet Kaur and another

...Petitioners

Versus

State of Punjab and Ors.

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Amit Sharma, Advocate for the petitioners.

B.S. Walia, J. (Oral)

1. Prayer in the Criminal Writ Petition under Article 226 of the Constitution of India is for the issuance of a writ in the nature of Mandamus directing respondent No.2 to protect the life and personal liberty of the petitioners at the hands of respondent No.3 as also not to harass the petitioners and parents of petitioner No.2 at the instance of respondent No.3 etc.

2. Learned counsel contends that the petitioners are of marriageable age as petitioner No.1 is more than 26 years of age as is evident from Aadhar Card, Annexure P/1 wherein her date of birth is recorded as 04.10.1995, while petitioner No.2 is more than 29 years of age as per Aadhar Card, Annexure P/2 in which his date of birth is recorded as 30.09.1992. Learned counsel contends that the petitioners fulfill the conditions under the Hindu Marriage Act, 1955 so as to entitle them to get married, consequently, on account of mutual liking for each other, the petitioners got married on 21.12.2021 at Gurudwara Akalgarh Sahib, Village

Karor Kalan, Tehsil and District, Mohali as is evident from Marriage Certificate, Annexure P/3 dated 21.12.2021 without any fraud, force, pressure, coercion or undue influence though against the wishes of respondent No.3 who is threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/4 dated 27.12.2021 to respondent No.2 i.e. The Senior Superintendent of Police, Bathinda seeking protection of their life and liberty but no action has been taken in respect thereto till date and that in the circumstances, the petitioners would be satisfied if the petition is disposed of by directing respondent No.2 to consider and decide representation Annexure P/4 in accordance with law, in a time bound manner and to provide protection to them.

3. Notice of motion to respondent No.2 only.

4. Mr. Harbir Sandhu, AAG, Punjab, accepts notice on behalf of respondent No.2 and on instructions from ASI Jagsir Singh that the petitioners recorded a statement before him on 28.12.2021 that their dispute has been settled amicably and they no longer have no apprehension of threat to their life or liberty at the hands of respondent No.3 or any other person.

5. Learned counsel for the petitioners states that in view of the statement made by learned AAG, he does not press the instant petition at this stage and the same may be disposed of as having become infructuous.

6. Accordingly, in view of the position noted above as well as statement of learned counsel for the petitioners, the instant petition is disposed of as having become infructuous.

29.12.2021

Amit

(B.S. Walia)
Judge