

108

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

CRWP-1416-2022

Date of decision : 17.02.2022

Kiran Bala and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rajeev Kumar Sharma, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

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 liberty of the petitioners.

It is the case of the petitioners that they both are major inasmuch as petitioner No.1 was born on 07.07.1986 as is apparent from her Aadhaar Card (Annexure P-1) and petitioner No.2 was born on 19.08.1994 as is apparent from his Aadhaar Card (Annexure P-2), and have married each other on 14.02.2022, with their free consent and without any pressure. Reliance has been placed upon the Marriage Certificate (Annexure P-4) and Photographs (Annexure P-5). It is submitted that petitioner No.1 was earlier married to one Brij Bhushan who had died on 20.11.2021 as is apparent

from Death Certificate (Annexure P-3) and petitioner No.1 has two children from the said wedlock and both the children are residing with the present petitioners. It is also stated by the learned counsel for the petitioners that a detailed representation dated 14.02.2022 (Annexure P-6) 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. Saurav Khurana, 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-Senior Superintendent of Police, looks into the representation dated 14.02.2022 (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 14.02.2022 (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.

17.02.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No