

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.107

CRWP No.1697 of 2022

Date of Decision:24.02.2022

Prabjot & anr.

...Petitioners

Versus

State of Punjab & ors.

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. HPS Sidhu, Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J.(Oral)

Both the petitioners have joined hands to prefer this petition for seeking the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 and 5 because they (petitioners) have solemnized their marriage against the wishes of these respondents. It has also been mentioned in this petition that a representation (Annexure P-6) has already been moved to respondent No.2 in this regard.

Notice of motion to respondents No.1 to 3 only.

Mr. Karanbir Singh, learned Assistant Advocate General, Punjab, who has joined the proceedings on behalf of respondents No.1 to 3 in this case in pursuance of the copies of the instant petition having been sent to the respondent-State in advance, accepts the

notice on behalf of these respondents.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and take appropriate action on the said representation of the petitioners, i.e Annexure P-6.

Learned State counsel has no objection for the same.

However, it is pertinent to mention here that in the copy of the Adhar Card of petitioner No.1, i.e. Annexure P-1, only the year of her birth finds mention as 2004 and the date and month of her birth have not been mentioned therein and therefore, it cannot be ascertained as to whether she has attained the age of majority i.e. 18 years or not.

Be that as it may, keeping in view the intent of the fundamental right enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the above-discussed limited prayer as made by learned counsel for the petitioners and without commenting or expressing any opinion on the legality and validity of the marriage as stated to have been solemnized between the petitioners, respondent No.2-Commissioner of Police, Jalandhar, is hereby directed to look into the said representation of the petitioners (Annexure P-6) and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed

to be a shield to the petitioners against any proceedings/action already initiated or intended/contemplated to be initiated against them by the competent authority/person on account of their afore-said marriage and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

24.02.2022
monika

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned?	Yes
Whether Reportable?	No