

110

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

CRWP-2021-2022 (O&M)
Date of decision : 08.03.2022

Payal and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vipul Aggarwal, 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 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 19.09.2003 as is apparent from her affidavit (Annexure P-2) and petitioner No.2 was born on 01.01.1991 as is apparent from the vernacular copy of his Aadhaar Card (Annexure P-3) which is at page 21 of the paper book (although the date of birth has wrongly been typed as 01.01.1997 in typed copy of Annexure P-3 which is at page 16 of the paper book), and have married each other on 01.03.2022, with their free consent and without any pressure and that this is their first marriage. Reliance has

been placed upon the Photographs (Annexure P-1). It is also stated by the learned counsel for the petitioners that a detailed representation dated 01.03.2022 (Annexure P-4) 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, looks into the representation dated 01.03.2022 (Annexure P-4) 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 01.03.2022 (Annexure P-4) 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.

All the pending miscellaneous applications, if any, stand disposed of in view of the abovesaid order

08.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No