

105

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

CRWP-2237-2022 (O&M)
Date of decision : 14.03.2022

Meena Devi and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. S.K. Choudhary, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Learned counsel for the petitioners, at the outset, submits that the averments made in para 15 of the present petition have been made due to inadvertence inasmuch as the present petitioners have not filed any earlier case and mentioning of CRWP-1309-2022 in para 15 of the petition is on account of mistake inasmuch as the said CRWP was filed by Shalu Devi and Sunny Kumar and not by the present petitioners.

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing respondent Nos.1 to 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 01.01.2002 and petitioner No.2 was born on 01.01.1996, and have married each other on 07.03.2022, with their free consent and without any pressure and that this is their first marriage. Reliance

has been placed upon Aadhaar Cards (Annexures P-1 and P-2), 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 07.03.2022 (Annexure P-5) has also been given to respondent Nos.2 and 3 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-Senior Superintendent of Police, looks into the representation dated 07.03.2022 (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 to look into the representation dated 07.03.2022 (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.

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

14.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No