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

CRWP-2211-2022

Date of decision : 11.03.2022

Bhupinder Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. G.S. Sandhu, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, 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.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 22.01.1979 as is apparent from vernacular copy of Aadhaar Card (Annexure P-1) (although date of birth has wrongly been mentioned in typed copy of Annexure P-1) and petitioner No.2 was born on 31.05.1990 as is apparent from his Aadhaar Card (Annexure P-2), and have married each other on 16.06.2021, with their free consent and without any pressure. Reliance has been placed upon 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 02.03.2022 (Annexure P-5) has also been given to respondent Nos.2 and 3 with regard to the same.

Learned counsel for the petitioners has further submitted that

although it is the first marriage of petitioner No.2 but petitioner No.1 was earlier married to one Sukhvir Singh son of Chanan Singh and there were many differences between them and both were living separately since 2012 and thereafter, both the parties mutually executed Panchayati divorce from each other on 17.08.2015. It is further submitted that the said Sukhvir Singh is already remarried.

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 02.03.2022 (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 02.03.2022 (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.

11.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No