

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

**Criminal Writ Petition No. 4236 of 2022
Date of Decision: 06.05.2022**

Khushbu Nesha and another

..... Petitioners

Versus

The State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Sanjeev K. Virk, Advocate for the petitioners.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The present petition has been filed under Article 226 of the Constitution of India for the issuance of a writ in the nature of a mandamus hence directing respondent Nos. 2 & 3 to give protection to the life, and liberty, of the petitioners, and against any interference in the peaceful life of the petitioners being made at the behest of respondent Nos. 4 to 7.

2. The learned State Counsel, does not have any objection, to an order being made by this Court to the respondents concerned, to look into and decide through a speaking order, representation Annexure P-5.

3. Consequently, this Court directs the respondents concerned, to within three weeks hereafter, hence decide Annexure P-5, through a speaking order.

4. Petition is disposed of.

5. However, before the authorities concerned, mete compliance with the afore made order, they shall ensure, that the runaway marriage solemnized, inter se, the co-petitioners, was a sequel to both acquiring the

relevant age of majority. Moreover, the afore order is subject to the condition that, upon the investigating officer, discovering credible evidence, with respect to the age of co-petitioner No. 1 – Khushbu Nesha, and, in case from the birth certificate concerned, it is clear that she is below 18 years, thereupon, upon, a complaint being filed by the father of the afore, it is open for the investigating officer concerned, to draw an appropriate action, against the accused, but in accordance with law. Nonetheless, he may not arrest him without issuing seven days notice upon him.

6. A copy of this order be given dasti on payment of usual charges.

May 06, 2022
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(SURESHWAR THAKUR)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>