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

CRWP-4502-2022

Date of decision : 12.05.2022

Jai Kapila and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sumit Singh Bairagi, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab

VIKAS BAHL, J. (ORAL)

The present Criminal Writ Petition has been filed under Articles 226/227 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 05.07.1993 and petitioner No.2 was born on 19.04.1998, and have married each other on 05.04.2021, 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) and the Marriage Certificate (Annexure P-4). It is also stated by the learned counsel for the petitioners that a detailed representation dated 09.05.2022 (Annexure P-5) has also been given to respondent No.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-Commissioner of Police, looks into the representation dated 09.05.2022 (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 09.05.2022 (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 criminal case.

12.05.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No