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

CRWP-6295-2022

Date of decision : 30.06.2022

Naina and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Varinder Basa, 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.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 26.04.2004 as is apparent from Aadhaar Card (Annexure P-1) (although in Aadhaar Card (Annexure P-1), the date of birth of petitioner No.1 is mentioned as year 2004 but in para 3 of the petition, her date of birth is specifically stated to be 26.04.2004) and petitioner No.2 was born on 01.12.2000 as is apparent from Aadhaar Card (Annexure P-2), and have married each other on 06.06.2022, with their free consent and without any pressure and that this is their first

marriage. 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 14.06.2022 (Annexure P-5) 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-Senior Superintendent of Police, looks into the representation dated 14.06.2022 (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 14.06.2022 (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.

30.06.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No