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

CRWP-6312-2022 (O&M)

Date of decision : 30.06.2022

Tara and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Harish Kumar Bhatti, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

CRM-W-769-2022

This is an application filed for grant of leave under Rule 3/A (1) of Chapter VI, Part B, Volume V of Punjab and Haryana High Court Rules and Orders to file the present petition.

In view of averments made in the application, the same is allowed and leave is granted under the aforesaid Rules and Orders to file the present petition.

Main Case

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 05.05.2002 as is apparent from vernacular copy of Aadhaar Card (Annexure P-1) which is at page 24 of the paper book (although, in the translated version of Aadhaar Card (Annexure P-1), the date of birth of petitioner No.1 has wrongly been mentioned as 05.05.2022) and petitioner No.2 was born on 15.02.1996 as is apparent from Aadhaar Card (Annexure P-2), and have married each other on 27.06.2022, 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). It is also stated by the learned counsel for the petitioners that a detailed representation dated 27.06.2022 (Annexure P-4) 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 27.06.2022 (Annexure P-4) 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

27.06.2022 (Annexure P-4) 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.

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

30.06.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No