

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

CRWP-7096-2022(O&M)
Date of decision : 26.07.2022

Riya and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms.Nisha Rani, Advocate for
Mr. Umesh Sharma, Advocate
for the petitioners.

Mr.Sarabjit Singh Cheema, Punjab.

VIKAS BAHL, J. (ORAL)

CRM-W-915-2022

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.

CRWP-7096-2022

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing the official respondents 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 12.06.2002 as is apparent from her Aadhaar Card (Annexure P-1) and petitioner no.2 was born on 28.06.1992 as is apparent from his Aadhar Card (Annexure P-2), and have married each other

on 19.07.2022, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon the marriage certificate and photographs (Annexure P-3 and P-4). It is also stated by the learned counsel for the petitioners that a detailed representation dated 19.07.2022 (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 Singh 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, Hoshiarpur, looks into the representation dated 19.07.2022 (Annexure P-5) and takes appropriate action in accordance with law.

After considering the above said 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-Senior Superintendent of Police, Hoshiarpur, to look into the representation dated 19.07.2022 (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.

(VIKAS BAHL)
JUDGE

July 26, 2022.

Davinder Kumar

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No