

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

**CRWP No.7153 of 2022 (O&M)
Date of Decision: 27.07.2022**

Pooja Rani and another

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Kuldeep Kumar Sarthi, Advocate
for the petitioners.

MEENAKSHI I. MEHTA, J.(Oral)

By way of the instant petition, both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 10 because they (petitioners) have solemnized their marriage against the wishes of these respondents. It has also been mentioned in this petition that a representation (Annexure P-4) has already been moved to respondent No.2 in this regard.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, has appeared on behalf of respondents No.1 to 3 in this case in pursuance of the copies of the instant petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and take appropriate action on the said representation of the petitioners, i.e Annexure P-4.

Learned State counsel has no objection for the same.

However, it is worth-while to mention here that though in Para No.5 of the petition, it has been averred that both the petitioners have solemnized marriage on 21.07.2022 but the fact remains that they have not placed the marriage-certificate on the record to substantiate the above-said averment and rather, a perusal of the copy of the Aadhar Card of petitioner No.2 Gurpreet Singh, i.e Annexure P-2, reveals that his date of birth has been recorded therein as 04.09.2001, meaning thereby that he has not yet attained the prescribed marriageable age, i.e 21 years.

Be that as it may, keeping in view the intent of the fundamental right enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the above-discussed limited prayer as made by learned counsel for the petitioners and without commenting or expressing any opinion on the legality and validity of the said marriage as stated to have been solemnized between the petitioners, respondent No.2-Senior Superintendent of Police, Ferozepur, is hereby directed to look into the said representation of the petitioners (Annexure P-4) and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be

a shield to the petitioners against any proceedings/action already initiated or intended/contemplated to be initiated against them by any competent authority/person on account of their afore-said marriage and permissible under the relevant provisions of law.

This petition stands disposed of accordingly.

July 27, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>