

CRWP-7940 of 2022

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

CRWP-7940 of 2022
Date of Decision: 22.08.2022

Ilma and another

.... Petitioners

Versus

U.T. Chandigarh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Deepak K. Bartia, Advocate, for the petitioners.
Mr. Akashdeep Singh, Additional Public Prosecutor,
U.T., Chandigarh.

ASHOK KUMAR VERMA, J. (ORAL)

Through this petition under Article 226 of the Constitution of India, prayer has been made for issuance of a direction to respondents No.2 and 3 to protect the life and liberty of the petitioners from the hands of respondents No.4 and 5, as petitioner No.1-Ilma, who is aged 19 years and petitioner No.2-Rambeer, who is aged 19 years 6 months, have solemnized marriage against the wishes of private respondents.

Notice of motion to official respondents No.1 to 3 only at this stage.

On the asking of the Court, Mr. Akashdeep Singh, Additional Public Prosecutor, U.T., Chandigarh, accepts notice on behalf of respondents No.1 to 3.

Having heard learned counsel for the petitioners, as also the

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learned Additional Public Prosecutor but without going into the merits of the validity of the marriage, I am of the view that every citizen being entitled to enforcement of fundamental rights as envisaged under Constitution of India, would necessarily entail grant of appropriate protection to the petitioners herein qua their life and liberty as apprehended by them for the reasons stated hereinafter.

Without commenting upon the legality and validity of the marriage between the petitioners, taking into consideration that it is the bounden duty of the State as per the Constitutional obligations cast upon it to protect the life and liberty of every citizen, this petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, Chandigarh, to look into the representation dated 16.08.2022 (Annexure P-4) of the petitioners seeking protection of life and liberty and if necessary, requisite steps be taken strictly in accordance with law for grant of protection of life and liberty of the petitioners

It is, however, clarified that in case, there is any criminal case registered against the petitioners, this order shall not be construed as an impediment for the law enforcing agency to proceed against the petitioners, in accordance with law.

August 22, 2022
R.S.

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No