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

CRWP-8165-2022

Date of decision : 26.08.2022

Sumati and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amit Kashyap, Advocate for the petitioners.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Munish Puri, Advocate for respondent Nos.4 to 7.

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 02.02.2001 and petitioner No.2 was born on 29.01.1998, and have married each other on 23.08.2022, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon Aadhaar Cards (Annexures P-1 and P-2), the Marriage Certificate (Annexure P-4) and Photographs (Annexure P-3). It is also stated by the learned counsel for the petitioners that a detailed representation dated 24.08.2022 (Annexure P-5) has also been given to respondent No.2 with regard to the same.

Notice of motion.

On advance notice, Mr. Tarun Aggarwal, Sr. DAG, 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 24.08.2022 (Annexure P-5) and takes appropriate action in accordance with law.

Mr. Munish Puri, Advocate has put in appearance on behalf of respondent Nos.4 to 7 and has opposed the present petition and has submitted that respondent Nos.4 to 7 are opposing the said marriage and they are concerned about the well being of their daughter as petitioner No.2 is only working as a Helper in some company and is not in the Army.

Learned counsel for the petitioners, in rebuttal, has submitted that petitioner No.2 is working in the Army.

After considering the abovesaid facts and without commenting upon the legality of the marriage and expressing any opinion on merits of the case and also without going into the issue as to whether petitioner No.2 is working in the Army or is working as a Helper in some company, the present Criminal Writ Petition is disposed of with direction to respondent No.2 to look into the representation dated 24.08.2022 (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.

26.08.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No