

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

140

CRWP-9617-2022

Date of Decision:-06.10.2022.

JOHNSON AND ANR

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr.J.S.Rana, Advocate
for the petitioners

ALOK JAIN, 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 26.04.2004 and petitioner No.2 was born on 19.04.2001, and have married each other on 18.08.2022, 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, respectively), photographs (Annexure P-3 and P-4) and the Marriage Certificate (Annexure P-5) . It is also stated in the petition that a detailed representation dated 01.10.2022 (Annexure P-6) 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. Manipal Singh Atwal, DAG Punjab appears and accepts notice on behalf of respondent No.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-The Senior Superintendent of Police, Gurdaspur, looks into the representation dated 01.10.2022 (Annexure P-6) and takes appropriate action in accordance with law.

After considering the above said facts and without commenting upon the legality of the marriage and without 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 (Annexure P-6) 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 case. It is further made clear that this order shall not be construed or be used in any other proceedings as petitioner No.1 is below the marriageable age and the question as to the validity of marriage is open whether as to the said marriage is legal and valid or not.

(ALOK JAIN)
JUDGE

06.10.2022

neenu

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No