

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(119)

CRWP-9766-2022 (O&M)  
Date of decision: - 14.10.2022

Pooja and another

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Amjad Khan, Advocate,  
for the petitioners.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

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VIKAS BAHL, J. (ORAL)

CRM-W-1399-2022

Application is allowed, as prayed for.

CRM-W-1398-2022

Present application has been filed under Section 482 Cr.P.C.  
for exempting the petitioner No.1 from filing her identity proof as she has  
run away from her house and at present she is not in possession of any  
identity proof.

Learned counsel for the applicant-petitioners has submitted  
that petitioner No.1 was born on 09.04.1998 and thus is a major and  
regarding the same, a specific affidavit dated 10.10.2022 (Annexure P-1)  
has been filed by petitioner No.1 and the said fact is also mentioned in  
the marriage certificate dated 07.10.2022. It is submitted that petitioner

No.1 does not at present have any proof of the said date of birth as all the documents were lying in Delhi in the house of her parents and thus, the present application has been filed for exempting petitioner No.1 from filing her identity proof.

Keeping in view of the averments made in the application and also the fact that a specific affidavit has been filed by petitioner No.1 regarding her date of birth proof, the same is allowed and petitioner No.1 is exempted from filing her identity proof.

**CRWP-9766-2022**

The present Criminal Writ Petition has been filed under Articles 226/227 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 09.04.1998 (as stated in affidavit dated 10.10.2022 Annexure P-1) and petitioner No.2 was born on 17.04.1999, and have married each other on 07.10.2022, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon affidavit and Aadhar Card (Annexures P-1 & P-2) and the marriage certificate (Annexure P-4). It is also stated by the learned counsel for the petitioners that a detailed representation dated 07.10.2022 (Annexure P-5) has also been given to the Senior Superintendent of Police, SAS Nagar (Mohali), with regard to the same.

On a specific query put by this Court, learned State counsel has stated that he has no objection in case, respondent No.2-Senior Superintendent of Police, SAS Nagar (Mohali) looks into the

representation dated 07.10.2022 (Annexure P-5) and takes appropriate action in accordance with law.

After considering the abovesaid 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 to look into the representation dated 07.10.2022 (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.

**October 14, 2022**  
naresh.k

**( VIKAS BAHL )**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No