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

CRWP-41-2022 (O&M)
Date of decision : 07.01.2022

Malkit and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. M.D. Khan, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

CRM-W-6-2022

Application is allowed, as prayed for.

Main case

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing respondent Nos.1 to 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 11.12.1985 as is apparent from his Aadhaar Card (Annexure P-1) and petitioner No.2 is 24 years old as is apparent from Undertaking (Annexure P-2). It is stated that petitioner No.2 does not have any document regarding her date of birth as she belongs to *Baagdi* Community and she had given her affidavit (Annexure P-2) that she

is 24 years old. Both the petitioners have married each other on 20.12.2021, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon the Photographs (Annexure P-3). It is also stated by the learned counsel for the petitioners that a detailed representation dated 23.12.2021 (Annexure P-4) 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. Sukhbeer Singh, AAG, 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 23.12.2021 (Annexure P-4) 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 23.12.2021 (Annexure P-4) 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.

07.01.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No