

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

CRWP-12419-2021(O&M)
Date of decision : 04.01.2022

Manjit Singh and another

... Petitioners

Versus

The State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. L.S.Lakhanpal, Advocate
for the petitioners.

Mr. K.S.Aulakh, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

CRM-W-1572-2021

For the reasons stated in the application, the application is allowed and petitioner no.2 is granted exemption from filing her local ID proof, subject to all just exceptions.

CRWP-12419-2021

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing the official respondents 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 02.08.1994 as is apparent from his Aadhaar Card (Annexure P-1). Petitioner no.2 has filed affidavit dated 23.12.2021 (Annexure P-2) to state that she is major and her date of birth is 01.06.1998 and her age and address proof are in the custody of parents of the deponent. The details of her educational qualification have also been

given. The petitioners have married each other on 23.12.2021, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon the Marriage Certificate (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. K.S.Aulakh, 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, District Hoshiarpur, looks into the representation dated 23.12.2021 (Annexure P-4) and takes appropriate action in accordance with law.

After considering the above said 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-Senior Superintendent of Police, District Hoshiarpur, 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.

(VIKAS BAHL)
JUDGE

January 04, 2022.

Davinder Kumar

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No