

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-10632-2022

DATE OF DECISION:11.11.2022

NADANI @ NANDNI AND ANOTHER ...PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Sukhveer Kaur, Advocate, for the petitioners.

SANDEEP MOUDGIL, J.(ORAL)

The present petition has been filed seeking protection of life and liberty of the petitioners by contending that both of them having attained the age of majority, have married each other against the wishes of their respective family members respondent No.4 and other relative and friends and to seek appropriate protection from the authorities. They submitted a representation dated 07.11.2022 (Annexure P-5) in this regard to the Senior Superintendent of Police, District Gurdaspur, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

Notice of motion.

Both of them do appear to have crossed the age of majority as seen from the copies of documents filed and have married each other, in support of which, Marriage Certificate (Annexure P-3) and Marriage Photographs (Annexure P-4), have been placed on record.

For the aforesaid reasons, this appears to be a fit case for this Court to invoke the inherent powers under Section 482 of the Cr.P.C. and in view of the mandate contained in Article 21 of the Constitution of India to protect the citizen's right to life and liberty.

Thus, the Senior Superintendent of Police, District Gurdaspur is directed to consider the representation dated 07.11.2022 (Annexure P-5) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

It is nevertheless clarified that this order is issued only on the premise that the petitioners have crossed the age of majority as seen from the documents placed on record being Aadhar Cards of petitioner no.2 and 1 as Annexures P-1 and P-2. This would not *ipso facto* amount to granting any seal of approval on the legality of their marriage which essentially would come in the domain of the concerned Matrimonial Courts. Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

The petition is disposed of with the above direction.

11.11.2022

mamta

Whether speaking/reasoned
Whether reportable

Yes
No

(SANDEEP MOUDGIL)
JUDGE