

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

(201)

CRWP-12259-2022

Date of Decision:-30.12.2022.

Rakesh Kumar and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Vinay Singh, Advocate for the petitioners.

Mr. Deepanjay Sharma, DAG, Punjab.

ALOK JAIN, J. (Oral)

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.

In pursuance to the order dated 27.12.2022, learned State counsel has submitted that there is no missing report or FIR lodged by the private respondents against petitioner Nos. 1 and 2.

It is the case of the petitioners that they both are major inasmuch as petitioner No.1 was born on 06.07.1991 and petitioner No.2 was born on 02.04.2000, and have married each other on 22.12.2022, 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), the Marriage Certificate and Photographs (Annexure P-3). It is also stated in the petition that a detailed representation dated

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22.12.2022 (Annexure P-5) 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. Deepanjay Sharma 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, Fazilka, looks into the representation dated 22.12.2022 (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 (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 case.

(ALOK JAIN)
JUDGE

December 30, 2022.

Himanshu

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