

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

CRWP-12322-2022

Date of decision : 30.12.2022

Nafila Shahid and another

.....Petitioners

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vikas Chopra, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Present petition has been filed under Article 226 of the Constitution of India for directing respondents no.2 and 3 to protect the life and liberty of the petitioners from the hands of respondents no.4 and 5 and other relatives.

Learned counsel for the petitioners states that both the petitioners are major as per Mohammedan Law which allows a girl aged above 16 years to be treated as major for the purpose of marriage. Both the petitioners have married against the wishes of respondents no.4 and 5 and have sought protection to their life and liberty. They apprehend danger from respondents no.4 and 5. Their marriage certificate evidencing their marriage is on record as Annexure P-3. The petitioners have submitted a representation dated 26.12.2022 (Annexure P-4) to respondent no.2.

Notice of motion to respondents no.1 to 3-State only.

On the asking of the Court, Mr. Vishnav Gandhi, DAG, Punjab accepts notice on behalf of the State.

Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of the petition with a

direction to respondent no.2-Senior Superintendent of Police, District Malkerkotla to decide the representation (Annexure P-4) of the petitioners and grant them protection, if any threat to their life and liberty is perceived. It is clarified that this order shall not be taken to grant immunity to the petitioners from legal action for violation of law, if any, committed by them. This order would not be understood having expressed any opinion whatsoever by this Court on the validity of the marriage of the petitioners.

Disposed of

(**RAJESH BHARDWAJ**)
JUDGE

30.12.2022
m. sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No