

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-2928-2023 (O&M)
Decided on :27.03.2023

Payal and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Neesh Garg, Advocate for the petitioners.

SANJAY VASHISTH, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to respondents No. 2 and 3 to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

Learned counsel for petitioners submits that petitioner No.1 – Payal is aged about 19 years & 08 months and petitioner No.2 –Mani Kumar is aged about 19 years are thus, major, but petitioner No. 2 is not of marriageable age being of 19 years, still they have got married on 18.03.2023 against the wishes of their family members, arrayed as respondents No.4 and 5. It is first marriage of both the petitioners. Learned counsel for the petitioners further submits that marriage performed by petitioner No. 2 cannot be called void as same is only the voidable one.

It has been further submitted that private respondents are threatening to interfere in the matrimonial life of petitioners. Hence, petitioners are seeking protection in that regard and have approached this Court by way of filing the instant petition. They have also submitted a representation dated 20.03.2023 (Annexure P-4), to respondent No.2- Senior Superintendent of Police, Mansa, Punjab, wherein, they have expressed their apprehension.

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Notice of motion.

On advance notice, Mr. J.S. Arora, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent Nos. 1 to 3 (State).

In view of the above, **present petition is disposed of** with a direction to respondent No.2 –Senior Superintendent of Police, Mansa, Punjab, , to look into the representation dated 20.03.2023 (Annexure P-4), *qua* threat perception and if there is any substance in it, take necessary steps, in accordance with law, to ensure that lives and liberty of the petitioners, is not jeopardized at the hands of the private respondents.

However, this direction will not validate the marriage said to have taken place between the parties and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

Disposed of.

(SANJAY VASHISTH)
JUDGE

27.03.2023

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