

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

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**CRWP-3760-2023
Decided on : 20.04.2023**

Kiran and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Manish Prabhakar, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to official respondents No.1 to 4, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

2. Learned counsel for the petitioners submits that as per Aadhar Card, age of petitioner No.2 comes out to be 18 years & 04 months, thus, he is major, but not of marriageable age. However, marriage performed by the petitioners cannot be declared as a void marriage. He further submits that in fact, he is of the age of 22 years, and now, in document(s) i.e. Aadhar Card, his age is wrongly mentioned as 01.01.2005, instead of actual date of birth i.e. 10.04.2001. However, there is no documentary proof with the petitioner in support of his submissions, before this Court.

3. Learned counsel for the petitioners submits that petitioner No.1 – Kiran, is aged 18 years & 08 months, and petitioner No.2 – Gurdas Maan, is aged 18 years & 04 months, have solemnized marriage on 17.04.2023, against the wishes of their family members, arrayed as respondents No.5 to 7. Learned counsel for the petitioners further submits that it is the first marriage of both the

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petitioners. It has been submitted that the private respondents are threatening to interfere in the matrimonial life of the petitioners. Hence, the 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 17.04.2023 (Annexure P-7), to respondent No.4 – SHO, Police Station Bhindi Saidan, Amritsar, wherein, they have expressed their apprehension.

4. Notice of motion to respondents No.1 to 4 only.

5. On asking of the Court, Mr. Anmol Singh Sandhu, AAG, Punjab, accepts notice on behalf of respondents No.1 to 4 (State).

6. In view of the above, the present petition is disposed of with a direction to respondent No.4 – SHO, Police Station Bhindi Saidan, Amritsar, to look into the representation dated 17.04.2023 (Annexure P-7), *qua* threat perception, and if there is any substance in it, take necessary steps, in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of the private respondents.

Besides above, respondent No.4 would also verify the factum of actual date of birth of petitioner No.2.

7. 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.

(SANJAY VASHISTH)
JUDGE

April 20, 2023

J.Ram

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