

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-5566-2023
Decided on : 02.06.2023

Amandeep Kaur and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Vertika Gupta, Advocate for
Mr. Lupil Gupta, 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.2 & 3, 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 petitioner No.1 – Amandeep Kaur, aged about 20 years and petitioner No.2 – Ramesh Kumar, aged about 20 years & 7 months, is major, but petitioner No. 2 is not of marriageable age being of 20 years & 7 months, still they have solemnized marriage on 26.05.2023, against the wishes of their family members, arrayed as respondents No.4 to 10. Relying upon the judgment of the Apex Court rendered in “*Nandakumar Vs. State of Kerala*” 2018(16)SCC602 Law Finder Doc ID#1025327, counsel for the petitioners submits that said marriage is voidable and not a void marriage and it is first marriage of both the 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

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have approached this Court by way of filing the instant petition. They have also submitted a representation dated 26.05.2023 (Annexure P-4), to respondent No.2 – Senior Superintendent of Police, Mansa, wherein, they have expressed their apprehension.

- 3. Notice of motion.
- 4. On asking of the Court, Mr. Anmol Singh Sandhu, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3 (State).
- 5. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, Mansa, to look into the representation dated 26.05.2023 (Annexure P-4), *qua* threat perception, and if there is any substance in it, take necessary steps, in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of the private respondents.
- 6. 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

June 02, 2023
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No