

CRWP-6517-2023 (O&M)

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

(107)

CRWP-6517-2023 (O&M)
Date of Decision:-04.07.2023

Ajay Gill and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Sarvesh Kumar Gupta, Advocate for the petitioners.

Mr. I.P.S. Sabharwal, DAG, Punjab.

ALOK JAIN, J. (Oral)

1. 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.

2. It is the case of the petitioners that they both are major inasmuch as petitioner No.1 was born on 13.05.1996 and petitioner No.2 was born on 15.02.2002, and have married each other on 28.06.2023, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon Aadhaar Card and Pan Card (Annexures P-1 and P-2, respectively), the Marriage Certificate (Annexure P-3) and photographs (Annexure P-4). It is also stated in the petition that a detailed representation dated 28.06.2023 (Annexure P-5) has also been given to respondent Nos.2 and 3 with regard to the same.

3. Notice of motion to respondent Nos.1 to 3 only.

4. On advance notice, Mr. I.P.S. Sabharwal, DAG, Punjab, appears and accepts notice on behalf of respondent No.1 to 3 and on a

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specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Senior Superintendent of Police, Ferozepur, looks into the representation dated 28.06.2023 (Annexure P-5) and takes appropriate action in accordance with law.

5. 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-Senior Superintendent of Police, Ferozepur 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.

6. It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any case.

7. In light of the above, the present petition stands disposed of. However, it is made clear that this order shall not be construed as any stamp on the alleged marriage of the parties or any confirmation to their acts and deeds. This order shall not operate as any alibi or defence to any proceedings which might be pending or may arise against the petitioners. Although, the State is duty bound to protect its citizens and only with the said motive, the present order/directions have been passed.

8. Pending miscellaneous application(s), if any, stands disposed of.

(ALOK JAIN)
JUDGE

July 04, 2023

Parul

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