

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

115

CRWP-8989-2023 (O&M)
Date of decision: 15.09.2023

DHNANJAY KUMAR AND ANOTHER

....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Harpreet Singh, Advocate for
Mr. S.K. Gupta, Advocate for the petitioners.

SANJIV BERRY. J. (Oral)

This is a petition filed under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus for directions to respondents Nos.1 to 3 to protect the life and liberty of the petitioners at the hands of private respondent No.4.

2. Learned counsel for the petitioners submits that the petitioners, both major, have solemnized their marriage on 10.09.2023, according to Hindu rites and ceremonies. He also refers to the marriage certificate dated 10.09.2023 (Annexure P-4) and the photographs (Annexure P-5). He also referred to the Aadhar Cards (Annexures P-1 and P-2) of the petitioners to show that the petitioners are major.

3. Learned counsel for the petitioners further submits that the private respondent No.4 is not accepting the marriage of the petitioners and they apprehend danger to their life and liberty from the private respondent and in this regard they have already moved a representation dated 10.09.2023 (Annexure P-6) before respondent No.2-Senior Superintendent of Police, Kapurthala.

4. Notice of motion.

CRWP-8989-2023 (O&M)

5. On the asking of the Court, Ms. Swati Batra, DAG Punjab, present in Court, accepts notice on behalf of the State-respondents.
6. Without commenting on the validity of the marriage, the petition is disposed of with the direction to respondent No.2 to consider the representation dated 10.09.2023 (Annexure P-6) keeping in view the facts and circumstances of the case and if so warranted, take action, to ensure protection to the life and liberty of the petitioners, strictly in accordance with law.
7. This order is not to be construed as any opinion with regard to the age of the petitioners or factum or validity of their marriage in any civil or criminal proceedings nor the petitioners would be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

(SANJIV BERRY)
JUDGE

15.09.2023
S.Sharma(syr)

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/ No*