

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-2953-2024 (O/M)

Date of decision : 04.04.2024

Karam Chand and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Tarun Singla, Advocate
for the petitioners.

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HARSH BUNGER, J. (ORAL)

Prayer in the instant petition filed under Articles 226/227 of the Constitution of India is for issuance of directions to respondents No. 1 to 3 to provide protection of life and liberty to the petitioners, who are residing together and intend to solemnize marriage with each other as soon as petitioner No. 1 attains the permissible legal age of marriage against wishes of private respondents No. 4 to 7.

Learned counsel for the petitioners submits that petitioner No. 1-Karam Chand, is aged about 20½ years and petitioner No. 2-Nishita, is about 18 years and 7 months old. It is submitted that petitioner No. 1 belongs to Khatri caste whereas petitioner No. 2 belongs to Brahmin caste. It is further submitted that petitioner No. 1 has attained the age of majority but has not attained the legal permissible age of marriage (21 years). Due to caste difference, private respondents, arrayed as respondents No. 4 to 7, do not intend to get petitioner No. 2 married with petitioner No. 1, whereupon petitioner No. 2 left her parental home and she is presently living with petitioner No. 1 at the house of petitioner No. 1. It is next submitted that private respondents are threatening and trying to interfere in the life of petitioners. Hence, petitioners are seeking protection in this regard and have approached this Court by way of filing the instant petition.

Notice of motion only to official respondents No. 1 to 3 is being issued, at this stage.

At the asking of Court, Mr. Harpreet Singh, Additional A.G. Punjab, who is present in the Court, accepts notice on behalf of respondents No. 1 to 3-State.

Given the nature of order being passed, there is no necessity to seek any response by official respondents No. 1 to 3 or even to serve private respondents No. 4 to 7.

In view of the above, present petition is disposed of with a direction to respondent No. 2-Senior Superintendent of Police, Ludhiana (Rural), District Ludhiana (Punjab), to look into representation dated 30.03.2024 (Annexure P-5), qua threat perception, if any, and take necessary steps, if any required, in accordance with law to ensure that life and liberty of the petitioners is not jeopardized at the hands of private respondents No. 4 to 7.

This order shall also not be taken to protect the petitioners from legal action for violation of law, if any, committed by them and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

(HARSH BUNGER)
JUDGE

04.04.2024
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No