



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CRWP-6612-2024 (O&M)
Date of Decision: 15.07.2024

Tinku and another
State of Punjab and others

Versus

...Petitioners
...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Abhishek K. Kathpal, Advocate for the petitioners.

KIRTI SINGH, J.(Oral)

CRM-W-876-2024

This is an application, under Rule 3(A)(1), Chapter 6, Part-B, Volume-V, of the High Court Rules and Order for exemption for filing.

For the reasons mentioned in the application, the same is allowed as prayed for.

CRWP-6612-2024

This petition has been filed for seeking a direction to the official respondents to protect the life and liberty of the petitioners from the hands of private respondents (arrayed in the petition) as they have solemnized marriage against the wishes of the family members.

2. Learned counsel for the petitioners submits that the petitioners have married against the wishes of respondents No.4 to 6. He further submits that they are major and solemnized marriage on 09.07.2024. They have placed on record the marriage certificate (Annexure P-3) and copy of the Aadhar cards (Annexures P-1 and P-2) to substantiate their claim. The petitioners have also submitted a representation dated 09.07.2024 (Annexure P-5) to respondent No.2.

**CRWP-6612-2024 (O&M)****-2-**

3. Notice of motion to the official respondents only.
4. Mr. J.S. Dhaliwal, AAG Punjab, who is present in Court, accepts notice for the official respondents. Counsel for the petitioners is directed to supply a copy of complete paper book to the counsel appearing for the State during the course of the day.
5. In view of the same, it goes without saying that the protection of life and liberty is a fundamental right emanating out of Article 21 of the Constitution of India and the scope of the present petition is only regarding protection of life and liberty of the petitioners.
6. Without commenting on the validity of the marriage allegedly performed by the petitioners and entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of this petition with direction to respondent No.2 to decide the representation of the petitioners (Annexure P-5) within a period of one week from the date of receipt of a certified copy of this order and grant them protection, if there is any threat to their life and liberty.
7. However, it is made clear that this order may not be construed as expression of an opinion on legality and validity of the marriage of the petitioners. It is further clarified that this order shall not debar the State and/or any person aggrieved from proceeding against the petitioners for violation of any law or if they are involved in any other case.

(KIRTI SINGH)
JUDGE

15.07.2024
Kavita Nain

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No