



CRWP-10836-2024

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CRWP-10836-2024
Date of Decision : 12.11.2024

Diksha Kumari and another ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vijay Kumar, Advocate for
Mr. Sunial Agnihotri, Advocate
for the petitioners.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, as filed under Article 226 of the Constitution of India, the petitioners have sought issuance of directions upon the respondents No.2 and 3, to ensure protection of their lives and liberty at the hands of private respondents No.4 to 6, and, also to restrain the said private respondents from harassing the petitioners or interfering in their married life.
2. The learned counsel for the petitioners states that since both the petitioners have attained the minimum age, as prescribed by statute, for solemnizing marriage, therefore, they have lawfully solemnized their first marriage, however, it has caused grievance to the private respondents concerned. Such grievance of the private respondents concerned has made them apprehensive of danger to their lives and liberty and resultantly, it has



constrained them to approach this Court, to seek protection of their lives and liberty.

3. Learned counsel for the petitioners submits that the petitioner No.1 is of 24 years and the petitioner No.2 is of 21 years. To substantiate his submission, he has placed reliance on Aadhaar Cards of both the petitioners, which are annexed as Annexures P-1 and P-2, respectively, with the instant criminal writ petition. The marriage certificate and photographs evidencing marriage of the petitioners are available on record respectively as Annexures P-3 and P-4. The petitioners have also submitted a representation dated 07.11.2024 (Annexure P-5) to the Senior Superintendent of Police, Hoshiarpur, respondent No.2.

4. This Court has put a specific query to learned counsel for the petitioners, whether, both the petitioners are major and whether, it is their first marriage, to which, he answered in affirmative.

5. Notice of motion to the official respondent(s) only.

6. On the asking of the Court, Mr. Pardeep Bajaj, learned DAG, Punjab, waives service and accepts notice on behalf of the official respondent(s).

7. Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, the instant petition is **disposed of** with a direction to respondent No.2-Senior Superintendent of Police, Hoshiarpur, to decide the representation (Annexure P-5) of the petitioners and grant them protection, if any threat to their lives and liberty is perceived.

8. It is clarified that this order shall not be taken to grant immunity to the petitioners from legal action for violation of law, if any, committed by

them. This order shall not be understood to have expressed any opinion whatsoever, by this Court on the validity of the marriage of the petitioners.

9. Petition stands **disposed** of accordingly.

(KULDEEP TIWARI)
JUDGE

November 12, 2024
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No