



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

**CRWP-11472-2024
DECIDED ON: 29.11.2024**

SANDHYA R JAISWAL AND ORS.

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Hasan Kaur, Advocate
for the petitioner (through hybrid mode).

SANDEEP MOUDGIL, J (ORAL)

Learned counsel for the petitioners seeks protection of life and liberty of the petitioners by contending that both of them having attained the age of majority, have married each other against the wishes of their respective family members respondent Nos.4 to 7 and to seek appropriate protection from the authorities. They submitted a representation dated 23.11.2024 (Annexure P-3) in this regard to the Commissioner of Police, District Ludhiana (Punjab), but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

Learned counsel for the petitioner has produced copies of PAN Cards of petitioners No.1 & 2 through his Clerk, which are taken on record as Documents A and B respectively.

The date of birth mentioned in these documents qua petitioner No.1 is 09.12.2005 and qua petitioner No.2 is 17.01.2006 which corroborate with the age mentioned in the memo of parties of both the petitioners.

Notice of motion.

On the asking of the Court, Mr. Jasjit Singh Rattu, DAG, Punjab accepts notice on behalf of the official respondents. A copy of the paper-book be handed over to him during the course of the day.

Both of them do appear to have crossed the age of majority as seen from the copies of documents filed today in Court and have married with each other.

For the aforesaid reasons, this appears to be a fit case for this Court to invoke the inherent powers under Section 482 of the Cr.P.C. and in view of the mandate contained in Article 21 of the Constitution of India to protect the citizen's right to life and liberty.

Thus, the Commissioner of Police, Ludhiana is directed to consider the representation dated 23.11.2024 (Annexure P-3) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

It is nevertheless clarified that this order is issued only on the premise that the petitioners have crossed the age of majority as seen from the documents placed on record being their PAN Cards as documents A and B respectively. This would not *ipso facto* amount to granting any seal of approval on the legality of their marriage which essentially would come in the domain of the concerned Matrimonial Courts. Further, they would not 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).

The petition is disposed of with the above direction.

(SANDEEP MOUDGIL)
JUDGE

29.11.2024
Poonam Negi

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