



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

**CRWP No.7661 of 2025
Date of Decision: 18.07.2025**

Komal and another

...Petitioners

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Ms. Ananya Nair, Advocate appearing for
Mr. Kartik Gupta, Advocate
for the petitioners.

MEENAKSHI I. MEHTA, J. (Oral)

By way of filing the instant petition, both the petitioners have sought the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 10 because they (petitioners) have solemnized their marriage against the wishes of these respondents. It has also been mentioned in the present petition that a representation (Annexure P-4) has already been moved to respondent No.2 in this regard.

2. Notice of motion to respondents No.1 to 3 only.

3. Mr. Gorav Kathuria, learned Deputy Advocate General, Punjab, has appeared on behalf of respondents No.1 to 3 in this case in pursuance of the copies of the instant petition having been sent to the respondent-State in advance and he accepts the notice on their behalf.



4. Heard.

5. Learned counsel appearing for the petitioners restricts her prayer to the issuance of direction to respondent No.2 to look into and take appropriate action on the above-said representation (Annexure P-4) of the petitioners.

6. Learned State counsel has no objection for the same.

7. It is worth-while to mention here that in the copy of the Aadhar Card of petitioner No.2-Abhishek, his date of birth has been recorded as 29.09.2004, meaning thereby that he had not attained the prescribed age of 21 years on 12.07.2025, i.e the date of solemnizing the marriage with petitioner No.1-Komal.

8. However, keeping in view the intent of the fundamental right as enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the afore-discussed limited prayer as made by learned counsel appearing for the petitioners and without commenting or expressing any opinion on the legality and validity of the marriage as stated to have been solemnized between the petitioners, respondent No.2-Senior Superintendent of Police, Hoshiarpur, is, hereby, directed to look into the above-referred representation (Annexure P-4) of the petitioners and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

9. However, it is clarified that this order shall not be construed to be a shield to the petitioners against any civil or criminal action/proceedings already initiated or intended/contemplated to be initiated against them by any competent authority/person on account of their afore-said marriage and permissible under the relevant provisions of law.



10. The petition in hand stands disposed of accordingly.

18.07.2025
seema

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No