
(2018) 04 P&H CK 0130
In the Punjab And Haryana At Chandigarh
Case No : CRM-M No.14284 of 2018

Bharat and another	Vs	APPELLANT
State of Punjab and others		RESPONDENT

Date of Decision : 05-04-2018

Acts Referred:

Constitution Of India, 1950 — Article 21
Code Of Criminal Procedure, 1973 — Section 482

Citation : (2018) 04 P&H CK 0130

Hon'ble Judges : Sudip Ahluwalia, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

SUDIP AHLUWALIA J. (ORAL)

Both the petitioners are present in person and identified by their counsel. They seek protection of their life and liberty 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.5 to 7, and

so seek appropriate protection from the authorities. They submitted a representation (Annexure P-6) in this regard to the Commissioner of Police,

Jalandhar on 4th April, 2018, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-

respondents.

2. Both of them do appear to have crossed the age of majority as seen from the copies of documents filed and have married each other, in support of

which, photographs (Annexures P-3 to P-5) have been placed on record.

3. 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.

4. Thus the Commissioner of Police, Jalandhar is directed to consider the representation dated 4th April, 2018 (Annexure P-6) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

5. 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 Aadhar Cards (Annexures P-1 and P-2). The petitioners have not produced on record a copy of their

marriage certificate. However, they have appended a joint affidavit in support of their marriage and photographs. 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).

6. The petition is disposed off with the above direction.