
(2018) 04 P&H CK 0135
In the Punjab And Haryana At Chandigarh
Case No : CRM-M-14172-2018

Gurnoor Kaur 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 0135

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, having married each other against the wishes of their respective family members respondent Nos.4 to 6,

and so seek appropriate protection from the authorities. They submitted a representation (Annexure P-4) in this regard to the Senior Superintendent

of Police, Gurdaspur and the Station House Officer, Police Station Ghuman Kalan, District Gurdaspur on 03.04.2018, 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 (Annexure P-3) 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 the Senior Superintendent of Police, Gurdaspur and the Station House Officer, Police Station Ghuman Kalan, District Gurdaspur are

directed to consider the representation dated 03.04.2018 (Annexure P-4) 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 Aadhaar Cards. The petitioners have not produced on record a copy of their marriage certificate. However,

they have appended affidavits in support of their marriage and photographs (Annexure P-3). 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.