
(2021) 10 P&H CK 0115

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 9617 Of 2021

Harman Bagha And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 08-10-2021

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2021) 10 P&H CK 0115

Hon'ble Judges : Vikas Bahl, J

Bench : Single Bench

Advocate : Surinder Thakur

Final Decision : Disposed Of

Judgement

Vikas Bahl, J

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing the official respondents to protect the life and liberty of the petitioners.

It is the case of the petitioners that they both are major inasmuch as petitioner No.1 was born on 06.08.2000 as is apparent from his Matriculation Certificate-cum-Mark Sheet (Annexure P-1) and Aadhaar Card (Annexure P-3) and petitioner No.2 was born on 03.03.2003 as is apparent from her Aadhaar Card (Annexure P-4), and have married each other on 05.10.2021, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon the Marriage Certificate (Annexure P-5) and Photographs (Annexure P-6). It is also stated by the learned counsel for the petitioners that a detailed representation dated 05.10.2021 (Annexure P-7) has also been given to respondent No.2 with regard to the same.

Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Mr. Saurav Khurana, DAG, Punjab, appears and accepts

notice on behalf of respondent Nos.1 to 3 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Senior Superintendent of Police, looks into the representation dated 05.10.2021 (Annexure P-7) and takes appropriate action in accordance with law.

After considering the abovesaid facts and without commenting upon the legality of the marriage and expressing any opinion on merits of the case, the present Criminal Writ Petition is disposed of with direction to respondent No.2 to look into the representation dated 05.10.2021 (Annexure P-7) and after considering the threat perception to the petitioners, respondent No.2 will take appropriate action in accordance with law.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any other case.