

(2018) 10 P&H CK 0047

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous (M) No.-43821 Of 2018

Lovepreet Kaur and another

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision : 04-10-2018

Acts Referred:

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

Citation : (2018) 10 P&H CK 0047

Hon'ble Judges : Sudip Ahluwalia, J

Bench : Single Bench

Advocate : Neeraj Yadav

Final Decision : Disposed off

Judgement

1. 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 8, and

so seek appropriate protection from the authorities. They submitted a representation (Annexure P-7) in this regard to the Senior Superintendent of

Police, Gurdaspur on 03.10.2018, 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 and Marriage Certificate issued by Gurudwara Guru Nanak Niwas Sahib, Village Karor Kalan, Tehsil Kharar, District

Mohali (Annexures P-5 & P-6) 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 Senior Superintendent of Police, Gurdaspur is directed to consider the representation dated 03.10.2018 (Annexure P-7) 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 and Matriculation Certificates. 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.