
(2021) 07 P&H CK 0006

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 6205 Of 2021

Seema Rani And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 07-07-2021

Acts Referred:

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

Citation : (2021) 07 P&H CK 0006

Hon'ble Judges : Sudip Ahluwalia, J

Bench : Single Bench

Advocate : Paras Jhamb, B.S. Sewak

Final Decision : Disposed Of

Judgement

Sudip Ahluwalia, J

1. 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, Moga, District Fazilka on 02.07.2021, 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, Marriage Certificate issued by ""Gurudwara Gobindasar 1 of 2 Sahib, Lakhmir KE Uttar, Mamdot, Ferozepur (Punjab)"" , being Annexure P-3,

has 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, Moga, District Fazilka is directed to consider the representation dated 02.07.2021 (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 Aadhar Cards (Annexures P-1 and P- 2) . 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.