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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21557-2016 (O&M)
Date of Decision: **June 21, 2016**

Priya and another		...Petitioners
	Versus	
State of Punjab and others		...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Subhash Kumar, Advocate
for the petitioners.

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HARINDER SINGH SIDHU, J.

The present petition has been filed under Section 482 Cr.P.C. seeking direction to respondents Nos.2 and 3 to provide protection to the lives and liberty of the petitioners at the hands of private respondents No.4 to 15.

It is the case of the petitioners that initially during the minority of Priya – petitioner No.1, they had solemnized their marriage. Thereafter, they were staying together. FIR No.105 dated 01.11.2015 under Sections 363, 366-A and 376 IPC was registered in Police Station Bilga, District Jalandhar against petitioner No.2. Vide order dated 15.12.2015 (Annexure P-4) passed by Judicial Magistrate Ist Class, Phillaur, the custody of petitioner No.1 was handed over to the parents of petitioner No.2 and since then, she is living with them. Petitioner No.2, who was arrested in the aforesaid case was released on bail vide order dated 17.2.2016 passed by Additional Sessions Judge, Jalandhar.

Ld. Counsel for the petitioners has averred that the date of birth of petitioner No.1 is 16.6.1998 and date of birth of petitioner No.2 is 1.1.1995. Now, petitioner No.1 has attained majority and they are legally married, but still the private respondents are interfering with their lives and liberty, as the petitioners had performed marriage without their consent.

The petitioners have submitted representation dated 17.06.2016 (Annexure P-8) to respondent No.2 seeking protection of their lives and liberty at the hands of the private respondents.

After hearing counsel for the petitioners and without expressing any opinion on the merits of the case or the validity of the marriage and the age of the petitioners and keeping in view the binding precedent of the Hon'ble Apex Court in **Lata Singh v. State of U.P. And another**, 2006(2) SCC (Criminal) 478, the present petition is disposed of with direction to respondent No.2 to look into the said issue and take necessary action in accordance with law.

It is made clear that nothing said herein shall be construed as an expression of opinion on the merits of the pending criminal trial against respondent No.2.

Petition stands disposed of accordingly.

June 21, 2016

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**(HARINDER SINGH SIDHU)
JUDGE**