

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22316 of 2016
DECIDED ON: July 08, 2016

MANISHA AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Petitioners in person along with
Ms. Neha Jain, Advocate.

JASPAL SINGH, J (ORAL)

This is a petition under Section 482 of the Code of Criminal Procedure for issuance of directions to respondents No.1 to 3 to protect the lives and liberty of the petitioners from the hands of private respondents.

2. Notice to respondents No. 1 to 3 only at this stage.

3. At the asking of Court, Mr. RPS Sidhu, AAG, Punjab accepts notice on behalf of respondent-State of Punjab. Copy of the petition be supplied to learned State counsel during the course of day.

4. The present petition is disposed of with a direction to respondent No.2- Senior Superintendent of Police, Jalandhar, Punjab to look into the grievances unfolded by the petitioners in their representation dated July 02, 2016 (Annexure P-4) and if respondent No.2 finds that there is threat perception to the petitioners, he shall provide the necessary protection, if so required.

5. While parting with this order, this Court cannot lost sight of the fact that petitioner No.1 is less than 18 years. She appears to have been enticed away or allured by the petitioner No.2 to solemnize marriage with him, which is violative of the provisions of the Prohibition of Child Marriage Act, 2006. The Senior Superintendent of Police, Jalandhar is directed to register a case against petitioner No.2 and to investigate the same, and if a case is made out, to proceed with the same in accordance with law. However, it is made clear that since parents of petitioners are not a party to the marriage, rather marriage is against their wish and consent. So, they shall not be involved in this case in any manner.

6. However, this order shall not be construed as a measure to treat the marriage of the petitioners valid or legal.

July 08, 2016
sonika

(JASPAL SINGH)
JUDGE