

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No. 113

CRM No. M-2552 of 2016
DECIDED ON: JANUARY 22, 2016

Sandeep Kaur and another

.....Petitioners...

VERSUS

State of Punjab and others

....Respondents...

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Petitioners in person along with
Mr. Sanjeev K. Sharma, Advocate.

JASPAL SINGH, J

This is a petition under Section 482 of the Code of Criminal Procedure for issuance of directions to respondents No. 2 and 3 to protect the lives and liberty of the petitioners from the hands of respondents No. 4 to 6 as they have solemnized marriage against the wishes and consent of respondents No.4 to 6.

2. The petitioners moved representation (Annexure P-5) to respondent No.2, for getting the needful done but no action has been taken so far.

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

4. 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.

5. The present petition is disposed of with a direction to

respondent No.2- Commissioner of Police, District Amritsar, Punjab to look into the grievances of the petitioners unfolded by them in their representation dated January 20, 2016 (Annexure P-5) and if found necessary, take appropriate measures in accordance with law.

6. While parting with this order, this Court cannot lost sight of the fact that petitioner No.2 is less than 21 years and he has solemnized marriage with petitioner No.1, which is in violation of the provisions of the Prohibition of Child Marriage Act, 2006. The Commissioner of Police, District Amritsar is directed to register a case 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 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.

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

JANUARY 22, 2016
sonika

(JASPAL SINGH)
JUDGE