

**205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.23410 of 2017 (O&M)

Date of decision : July 25, 2017

Harpreet Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Petitioner No.1 present in person along with
Mr. Chanderhas Yadav, Advocate.

Mr. C.L. Pawar, Sr. DAG, Punjab.

Ms. Ashima Mor, APP, U.T., Chandigarh.

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

KULDIP SINGH J. (ORAL)

Status report has been filed by the learned State counsel in the Court today and the same is taken on record. It is stated that the mother of petitioner No.2 is booked in a criminal case under Section 376 IPC and father of petitioner No.2 is a truck driver and is not available.

Petition No.2 Kamalpreet Kaur has been produced in the Court today by the Chandigarh police from Protection Home, Sector 19, Chandigarh.

Heard.

In the present petition, petitioners claim that they have married against the wishes of their parents on 24.06.2017. As per Annexure P-1, the date of birth of petitioner No.1 is 23.12.1997 and he is major, whereas as per Annexure P-2, the date of birth of petitioner No.2 is 21.11.1999 and she is now 17½ years of age. The petitioners have produced the photographs of

their marriage on file as Annexure P-3. The Coordinate Bench of this Court, vide order dated 06.07.2017, considering that petitioner No.2 is minor sent her to the Protection Home, Sector 19, Chandigarh and her parents were ordered to be produced, regarding which status report has been filed in the Court today.

The prayer made in the present petition is to protect the life and liberty of the petitioners. In such circumstances, this Court does not go into the validity of the marriage of the petitioners. Suffice to say, petitioners claim that they have married against the wishes of their parents, therefore, irrespective of the age of petitioner No.2, they to be provided protection by this Court. As such, petitioner No.2 at this stage is set at liberty to accompany petitioner No.1. A direction is issued to the Sr. Superintendent of Police, Fatehgarh Sahib to assess the threat perception to the life and liberty of the petitioners and if any threat is found, take necessary measures to protect their life and liberty.

However, it is made clear that this order shall not be taken to be the proof of valid marriage.

Disposed of accordingly.

Copy of this order be given to the learned State Counsels for U.T. Chandigarh and Punjab under the signature of Bench Secretary for further compliance.

(KULDIP SINGH)
JUDGE

July 25, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No