

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

CRM-M-39195-2016

Date of Decision: 18.03.2017

Mandeep Kaur and another

.....Petitioners

vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Angrej Kumar, Advocate,
for the petitioners.

Mr. K.S. Pannu, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioners had sought protection of life and liberty at the hands of respondents no. 4 to 7, of whom respondents no. 4 and 5 are stated to be the parents of petitioner no. 1. Respondent no. 6 is stated to be her brother and respondent no. 7 her uncle.

Vide an order dated 01.11.2016, notice had been issued, stating therein that the petitioners and the aforesaid respondents would appear before the learned Mediator in the Mediation and Conciliation Centre of this Court, so that the parties could sort out the issue, of their own free will. Interim protection had also been ordered by this Court.

However, as per the report of the Mediator, none of the parties turned up before him and consequently, the petition has been sent back to this Court for adjudication.

Learned counsel for the petitioners has produced in Court today, a copy of the order of a co-ordinate Bench, passed in CRWP No. 1379 of 2016 on 07.11.2016, whereby the petition filed by respondent no. 4 herein, i.e.

Dalbir Singh, father of petitioner no. 1, seeking that custody of his daughter be

handed over to him, was dismissed, with petitioner no. 1 herein, i.e. the person who had allegedly been detained against her will (as stated in that petition), having come present in Court, stating that she had solemnized her marriage with petitioner no. 2 (respondent no. 4 in that petition) of her own free will and that she did not wish to accompany her father.

In the order dated 01.11.2016, it has been recorded that as per Annexures P-3 and P-4 with this petition, which are seen to be the copies of Aadhar Cards issued to the petitioners, issued by the Unique Identification Authority of India, the date of birth of petitioner no. 1 is shown to be 18.04.1995 and that of petitioner no. 2 to be 01.01.1995.

However, learned counsel for the petitioners, on query, submits that since the petitioners are not present in Court today, he does not have the original identity cards or any other firm proof of their age.

Keeping in view the aforesaid circumstances, but with the age of the petitioners not firmly determined, making no comment on the validity of the marriage, this petition is disposed of with a direction that the life and liberty of the petitioners would continue to be protected at the hands of respondents no. 4 to 8, within the four corners of law.

It is to be noticed that despite an official of Police Station Ajnala having come present in Court, ostensibly to assist learned State counsel, no investigation seems to have been done by the police, to determine anything at all with regard to the age of the petitioners, or as to whether they are in any prohibited relationship etc. to each other.

(AMOL RATTAN SINGH)
JUDGE

March 18, 2017
nitin

Whether speaking/reasoned	Yes
Whether Reportable	No.