

(113) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-11983 of 2018
Date of decision: 22.03.2018

Rajwinder Singh Petitioner

Versus

State of Punjab and others Respondents

BEFORE: HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Dinesh Sharma, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] The petitioner and Amritpal Kaur are less than the age stipulated under law for a lawful marriage.

[2] Learned counsel contends that the petitioner got married to Amritpal Kaur daughter of Sh. Balvir Singh son of Gurdev Singh, resident of Village Pharwahi, Tehsil and District Barnala on 13.02.2018 with the free will and consent of Amritpal Kaur though against the wishes of respondents No.5 to 8 who are not only threatening the petitioner but also said Amritpal Kaur with harm to life and liberty.

[3] Learned counsel contends that despite representation dated 01.03.2018 (Annexure P5) having been given to respondent Nos.2 and 3 for protection of the life and liberty of the petitioner as well as Amritpal Kaur qua the threats held out by respondent Nos.5 to 8, no action has been taken in respect thereto till date, therefore, the petitioner has been constrained to invoke the jurisdiction of this Court for issuance of appropriate directions to respondent Nos.2 and 3.

[4] Learned counsel further states that the petitioner would be satisfied if the petition is disposed of by directing respondent Nos. 2 and 3 to consider and decide the representation dated 01.03.2018 (Annexure P5) and to take appropriate action in respect thereto in accordance with law. Learned counsel relies upon the decision of this Court in **Neelam Rani and another v. State of Haryana and others**, 2011 (1) RCR (Civil) 636.

[5] Notice of motion to respondent Nos.2 and 3 only. Mr. Kuldeep Singh, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of aforementioned respondents. Copy of complete paper book has been handed over to the learned State counsel in the Court. On perusal thereof, learned State counsel submits that he has no objection to the limited prayer of the petitioner for consideration and decision of representation dated 01.03.2018 (Annexure P5).

[6] Without commenting upon the validity of the marriage alleged to have been executed between the parties, as also the other averments made in the instant petition, the same is disposed of by directing respondent No.2 to consider and decide the representation dated 01.03.2018 (Annexure P-5) in accordance with law and to determine the threat perception to the petitioner and Amritpal Kaur at the hands of respondent Nos.5 to 8. If on consideration of the representation (Annexure P5) and assessment of threat perception, circumstances of the case so warrant, then in that eventuality, appropriate protection be provided to the petitioner and Amritpal Kaur by respondent No.2 in accordance with law.

[7] Needless to mention, in case any complaint has been received against the petitioner, the same be processed in accordance with law and action, if so warranted in respect thereto, be taken as per law.

[8] Petition stands disposed of in aforementioned terms.

(B.S. Walia)
Judge

22.03.2018
amit

- 1. Whether speaking/reasoned : Yes/No.
- 2. Whether reportable : Yes/No.